OBSERVATIONS

ON

MR. HUME'S

HISTORY OF ENGLAND.

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19507

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BY JOSEPH TOWERS.

Sunt duo genera hominum, qui ex antiquis monumentis Hiſtorias contexere,—Alii, quantum licet, veritatem expiſcari conantur, et diligenter omnia expendunt, ut veriſimillimam ſequantur narrationem, cum non licet res exploratus proferre. Alii vero de veritate non multum laborantes ea eligunt, quæ maxime mirabilia videntur; quia facilius exornari poſſunt, & grandiori orationi materiam ſuppeditant.

LE CLERC.

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PREFACE.

THE writer of the following Obſervations on the work of a late celebrated author, regrets that his death happened before their publication. He apprehends, however, that this circumſtance is not of ſuch a nature, as to preclude their being printed. The merit of

Mr.

Mr. Hume's hiſtory, as a fine compoſition, will make it long read, whatever may be its deficiencies in other reſpects; and it is, therefore, of ſome conſequence, that a juſt idea ſhould be formed of it. And as no man ſuppoſes, that there is any impropriety in criticiſing the works of Addiſon, or Pope, or Milton, there can be no juſt reaſon for objecting to a criticiſm on a work of Mr. Hume, though his death be of a more recent date. Whatever reſpect may be due to the memory of a departed genius, a much greater is due to the interests of truth; nor can the proper in-

inſtruction be derived from an hiſtorical compoſition, unleſs we are acquainted with the views of the writer, and with the degree of credit that is due to his narrations.

OB-

OBSERVATIONS, &c.

FEW of our modern hiſtorical performances have been more read, or more celebrated, than the HISTORY OF ENGLAND by Mr. DAVID HUME: and as an elegant compoſition, and the production of real and diſtinguiſhed genius, it is unqueſtionably entitled to great applauſe. But though beauty of diction, harmony of periods, and acuteneſs and ſingularity of ſentiment, may captivate the reader, yet there are other qualifications eſſentially neceſſary to the character of a good hiſtorian. Fidelity, accuracy, and impartiality, are alſo re-

quiſite: and in theſe, it is apprehended, Mr. Hume is frequently deficient; ſo that thoſe who read his work, with a view to obtain juſt ideas of the moſt remarkable tranſactions and events which have happened in this country, will, if they rely ſolely on his authority, be led to form conceptions exceedingly erroneous reſpecting matters of very conſiderable importance[1]. It is, therefore, the deſign of the following Obſervations to evince, that thoſe who wiſh to acquire an accurate knowledge of the real ſtate of facts, and to think juſtly of the perſons and tranſactions treated of in Mr. Hume's hiſtory, ſhould read his work with ſome degree of caution and circumſpection, without too implicit a reliance on his integrity as an hiſtorian, and that they ſhould compare his relations with thoſe of other authors.

THE

[1] It may not be improper to obſerve, that there is a wide difference between occaſional and accidental errors, into which the moſt impartial hiſtorian may ſometimes fall, and a kind of ſyſtematic miſrepreſentation, which runs through the greateſt part of a conſiderable work. This appears to be the caſe with Mr. Hume's hiſtory.

THE great object of Mr. Hume's ambition, as we are informed by himſelf, was literary fame. And in order to excite public attention, he ſeems to have thought it neceſſary to be ſingular. Accordingly, we find an affectation of ſingularity of ſentiment, very predominant in his writings. But though opinions are not therefore true, becauſe they are common; yet he who affects, on almoſt every occaſion, to differ from the generality of mankind, will much more frequently be wrong than right. To oppoſe the ſentiments of others, when they appear to be the reſult of prejudice or ignorance, is, in many caſes, extremely laudable: but to contradict eſtabliſhed opinions only for the ſake of being ſingular, may juſtly be conſidered as a cenſurable affectation.

MR. Hume appears to have been miſled by his prejudices, as well as by affectation. And men who write under the influence of any particular biaſs, are apt to deceive others as well as themſelves; unleſs their readers are aware of

the prepoſſeſſions to which they are addicted, and the falſe views by which they are miſled. And it ſometimes happens, that men affecting great freedom of thought, and originality of ſentiment, and who pretend to deſpiſe vulgar prejudices, are, at the ſame time, under the influence of inveterate prejudices of another kind, and as ſlaviſhly attached to a favourite hypotheſis, as the meaneſt of the vulgar can be to thoſe prepoſſeſſions which they have imbibed in their youth, and which their want of education, knowledge, and more enlarged views, has prevented them from ſhaking off.

No man can judge properly of the credit due to Mr. Hume's narrations, who does not compare his repreſentations of facts, circumſtances, and characters, with other hiſtorical writers. And this is a trouble which few readers are diſpoſed to take: but thoſe who do, will be convinced, that Mr. Hume is an hiſtorian by no means to be implicitly relied on. Some foreign writers have com-

commended Mr. Hume's hiſtory in the moſt laviſh terms. The reaſon is, they could judge of his eloquence as a writer, and of the beauty of his work as a literary compoſition; but their knowledge of our hiſtory was not ſufficiently accurate and extenſive, to enable them to judge of his partialities and prepoſſeſſions, and his deviations from hiſtoric truth.

I SHALL not attempt, in the following pages, to take a complete view of ſo large a work as Mr. Hume's Hiſtory of England. But I ſhall point out ſundry paſſages in that celebrated performance, which may tend to throw ſome light upon the character of the author as an hiſtorical writer, which may point out ſome of the prepoſſeſſions by which he was frequently miſled, or, in conſequence of which, he endeavoured to miſlead his readers. And the writer of theſe obſervations flatters himſelf, that they may not wholly be without their uſe; becauſe ſo far as it may reaſonably be ſuppoſed, that men are influenced in their political conduct and ſentiments by the

the reading of hiſtory, ſo far it may be of ſome importance to the public, what opinions are diſſeminated in a hiſtory of ſo much celebrity as that of Mr. Hume.

THAT Mr. Hume was very ſuperficially acquainted with the earlier periods of the Britiſh Hiſtory, has been ſhewn in a very able manner by the learned and ingenious Mr. Whitaker. And it may alſo be obſerved, that in many paſſages of his hiſtory, Mr. Hume ſeems to take a particular pleaſure in degrading the national character of the inhabitants of England: and, therefore, in the earlier part of his hiſtory, he paſſes very ſlightly over thoſe circumſtances and tranſactions which reflect honour on the natives of this country, or which mark their courage and averſion to ſlavery; whilſt he dwells in a very copious manner on thoſe circumſtances and tranſactions in which they appear to diſadvantage. It may poſſibly be ſuppoſed by ſome, that this accuſation againſt Mr. Hume, is only founded on his having

ing guarded againſt the national prepoſſeſſions and prejudices of preceding Engliſh hiſtorians. But this is far from being the caſe: and thoſe who will take the pains to compare Mr. Hume's work with the moſt authentic and impartial writers on the hiſtory of this country, will find that in many inſtances he has done great injuſtice to our anceſtors. Whether he was led to this by his affectation of ſingularity, or by what other motive, I ſhall not take upon me to determine.

The ſpirited oppoſition made by the Britons to Julius Cæſar and the Romans, the heroiſm and noble behaviour of Caractacus, the bravery of Boadicia, and other ſtriking events characteriſtic of the courage of the ancient Britons [2], are

[2] It is obſerved by Mr. Whitaker, that "it is "one of the moſt ſingular events in the Roman "annals, and reflects a peculiar honour upon the "bravery of the Britons, that, in the long courſe "of more than three centuries, the Romans could "never make an entire conqueſt of the iſland. "And this was the only country in the world, I "think,

are very ſlightly paſſed over by this hiſtorian; whilſt he dwells very minutely on the meanneſs of their applications to the Romans for aſſiſtance againſt the Picts and Scots, when the Romans had deſerted this iſland, and when many of the Britons had quite loſt that martial ſpirit by which they had formerly been diſtinguiſhed, in conſequence of the luxury and effeminacy which had been artfully introduced amongſt them by the Romans [3].

MR.

" think, in which the Romans reduced the greateſt " part of the natives, and yet were for ever beat " off by the ſmall remainder of them. The conqueſt " was attempted by ſome of the greateſt generals " that were produced in the armies of Rome, was " proſecuted with the greateſt vigour and conduct, " and yet was never accompliſhed. All the efforts " of the Romans, however ſucceſsful at firſt, were " finally baffled by the Britons. And they ſtill " lived independent in their mountains, and look- " ed down with pity upon the reſt of their bre- " thren, ſtooping to the power, and adopting the " manners of Italy." Hiſt. of Mancheſter, vol. ii. p. 211.

[3] Vid. Hume's Hiſtory of England, vol. i. p. 12, 13, 14. edit. 8vo. 1763.

Mr. Hume was extremely deſirous of repreſenting the government of England as arbitrary, at leaſt as much ſo as he could with any degree of plauſibility, in the periods preceding the acceſſion of the Houſe of Stuart: and this he was led to do by his deſire of vindicating, or extenuating, the tyranny of that family, under the pretence, that they found the government deſpotic, or nearly ſo, on their acceſſion to the throne of Great Britain. But notwithſtanding all that he, or others, may have advanced upon this ſubject, there appears to have been a conſiderable degree of liberty in this country, from the earlieſt periods of which there are any notices in hiſtory. The inhabitants of Britain were anciently divided into diſtinct communities, governed by diſtinct kings. And it is obſerved, by that very able antiquarian, Mr. Whitaker, that "the monarchies of "Britain acknowledged no indefeaſible "right of ſucceſſion. And they were as "little abſolute and arbitrary in their "nature. The Britons were not unac-"quainted, though hiſtory has never

" ſuppoſed them to be actually acquaint-
" ed, with that propereſt reſtraint upon
" monarchical deſpotiſm, the rational,
" the manly, and the free inſtitution of
" parliaments. No power but the royal
" could either make or abrogate a
" public law. And fixed upon this ne-
" ceſſary principle hangs the central
" balance of every monarchy. But even
" the king could not make or abrogate
" one without the conſent of the coun-
" try. And grounded upon the baſis of
" this maxim ſtands all the fair ſtructure
" of popular liberty. The moſt antient
" conſtitutions of Wales have expreſsly
" recorded the exception. The terms
" of it carry ſufficiently a reference to
" parliamentary concurrence. And we
" have a deciſive argument for the exiſtence
" of Britiſh parliaments, in the prefaces
" to the laws of Howel Dha, the moſt
" authentic regiſters of the legiſlative
" authority by which they were made.
" We there find ſix men ſummoned out
" of every commot or century in Wales,
" the moſt wiſe and powerful perſons
" in the kingdom, in order to meet and

" aſſiſt

" aſſiſt the king in the great work of " legiſlation. The parliament being aſ- " ſembled, by common council and con- " ſent, they examined the antient laws, " reformed and cancelled ſome, added " others, and digeſted both into a re- " gular code. And this they preſented " to the king. The monarch approved " of it, and gave it the ratifying ſanction " of his own authority. And both he " and the ſenators concurred to impre- " cate the wrath of God, the parliament, " and all the country, upon ſuch of the " people as ſhould violate, and ſuch " of the kings as ſhould abrogate, " any of theſe conſtitutions; unleſs they " were annulled in a council, equally " national as that in which they had " been recently made [4]." And, indeed, Mr. Hume himſelf bears ſome teſtimony to the freedom of the antient Britons, before the invaſion of the Romans, in the following paſſage: " The Britons," he ſays, " were divided into many ſmall

 " nations,

[4] Hiſtory of Mancheſter, vol. i. p. 336, 337. 8vo. edit. 1773.

" nations, or tribes; and being a mili-
" tary people, whoſe ſole property was
" their ſword and their cattle, it was im-
" poſſible, after they had acquired a re-
" liſh of liberty, for their princes or
" chieftains to eſtabliſh any deſpotic au-
" thority over them. Their govern-
" ments, though monarchical, were free,
" as well as thoſe of all the Celtic na-
" tions; and the common people ſeem
" even to have enjoyed more liberty
" amongſt them, than among the na-
" tions of Gaul, from whom they were
" deſcended [5]."

Lord Lyttelton, ſpeaking of the Welſh government, obſerves, that there was no tincture of deſpotiſm in it. " The no-
" bles and clergy," his lordſhip ſays,
" were conſulted in all matters of ſtate:
" the people were free, and ſeem to have
" aſſiſted in the making of laws, and
" other acts of great moment. They
" were oppreſſed by no taxes, nor by any
" toilſome work: and to this an antient
" author,

[5] Hume's Hiſtory of England, vol. i. p. 3.

" author, who was himſelf of that na-
" tion, aſcribes their magnanimity and
" courage in war. *For nothing* (ſays he)
" *ſo raiſes and excites the minds of men to*
" *brave actions, as the chearfulneſs of li-*
" *berty: nothing, on the contrary, ſo dejects*
" *and diſpirits them, as the oppreſſion of ſer-*
" *vitude*[6]."

And to theſe obſervations it may be added, that even after the Britons had been overcome by the Romans, it appears, that many of their antient privileges were continued to them, and that their internal government was regulated by their own laws and cuſtoms[7].

Under the Engliſh Saxon kings, it appears, that the legiſlative power was in the great council, conjointly with the king; and it hath been ſhewn by Mr. Tyrrel, that " none of theſe Saxon
" kings

[6] Hiſtory of the Life of king Henry II. vol. ii. p. 38. edit. 4to. 1767.

[7] Vid. Whitaker's Hiſtory of Mancheſter, vol. i. p. 334.

" kings could paſs any laws, or make " any conſiderable alterations in the " ſtate, without not only the advice, but " conſent of the great council[8]." And it is remarked by Nathaniel Bacon of the Saxons, that they were " a free " people, governed by laws, and thoſe " made not after the manner of the " Gauls (as Cæſar noteth) by the great " men, but by the people; and therefore " called a free people, becauſe they are a " law to themſelves[9]." And it hath alſo been obſerved by an author juſt cited, and who was eminently ſkilled in the political hiſtory of this country, that if an exact inquiry be made into the government of William the Norman, commonly called William the Conqueror, " it will be found, that he had no more " power of making laws, without the " conſent of his great council, than any " of

[8] Bibliotheca Politica, p. 222. Vid. alſo p. 226—313.

[9] Hiſtorical and Political Diſcourſe of the Laws and Government of England, p. 9. 4th edition.

"of his predeceſſors[10]," The caſe was ſimilar under the other princes of the Norman line: and from the Norman invaſion to the preſent time, a period of more than ſeven hundred years, though there have been various occaſional exertions of regal tyranny, it is certain, that a deſpotic government was never regularly eſtabliſhed in this country. And it hath been obſerved by Lord Clarendon, in his piece againſt Hobbes, that "thoſe "laws and cuſtoms which were before "the conqueſt, are the ſame which this "nation or kingdom have been ever ſince "governed by to this day." It is likewiſe remarked, by a ſtill ſuperior authority in matters of this kind, Lord Coke, that "the grounds of our common "laws at this day, are beyond the me-"mory or regiſter of any beginning, and "the ſame which the Norman conque-"ror then found within the realm of "England."

At the battle of Haſtings, the great battle which opened the way for William the

[10] Bibliotheca Politica, p. 223.

the Norman to the throne of England, the Engliſh, under Harold, fought with great valour. The engagement laſted from morning till ſun-ſet; and, even according to Mr. Hume's account, there fell near fifteen thouſand Normans in this memorable engagement. It is probable, however, that William would not have ſucceeded in his enterprize, if it had not been for the death of Harold: but that event left William no formidable competitor. Edgar Atheling, the preſumptive heir to the crown, was thought by the Engliſh themſelves incapable of the duties of government. And it is well known, that William the Norman ſet up a different claim to the crown from that of conqueſt". And though after his victory at Haſtings, the Engliſh ſubmitted to him, it was not merely as to a con-

" It is juſtly obſerved, in the learned Biſhop Hurd's *Moral and Political Dialogues*, that "William's "claim to the crown was not *conqueſt*, (though it en- "abled him to ſupport his claim), but *teſtamentary* "*ſucceſſion*. A title very much in the taſte of that "time, and extremely reverenced by our Saxon "anceſtors."—And "even waving this ſpecious "claim, he condeſcended to accept the crown as a free

a conqueror, who in conſequence became poſſeſſed of deſpotic power, but as to a prince, whoſe authority was to be limited by the laws and cuſtoms of the kingdom. At his coronation, Aldred, archbiſhop of York, who performed the ceremony,

" free gift; and, by his coronation-oath, ſubmit-
" ted himſelf to the ſame terms of adminiſtration,
" as his predeceſſors." He alſo " confirmed the
" Saxon laws, at leaſt before he had been many
" years in poſſeſſion of his new dignity."—" Is
" there any thing in all this that favours the no-
" tion of his erecting himſelf, by the ſole virtue of
" his victory at Haſtings, into an abſolute lord of
" the conquered country? Is it not certain, that
" he bound himſelf, as far as oaths and declara-
" tions could bind him, to govern according to
" law; that he could neither touch the honours
" nor eſtates of his ſubjects, but by legal trial;
" and that even the many forfeitures in his reign
" are an evidence of his proceeding in that me-
" thod?" Vol. ii. p. 121, 122. edit. 1765. It is alſo very properly obſerved, in the ſame excellent dialogue, " that, without connecting the ſyſtem of
" liberty with that of prerogative, in our notion of
" the Engliſh government, the tenor of our hiſtory
" is perfectly unintelligible, and that no conſiſtent
" account can be given of it, but on the ſuppoſi-
" tion of a *legal limited conſtitution.*" P. 126.

formally aſked all the Engliſh preſent, whether they gave their conſent to have the duke of Normandy crowned king, to which they aſſented; and William took an oath of the ſame kind with that which was formerly taken by the Anglo-Saxon kings. "From whence we may "obſerve," ſays Tyrrell, "that this "prince was ſo far from claiming as "a conqueror, that he accepted the "crown upon the ſame conditions, and "took the like oath, which the Saxon "kings, his predeceſſors, had done be-"fore [12]." Indeed, Mr. Hume himſelf remarks, that, "in his whole admini-"ſtration, he (William I.) bore the re-"ſemblance of the lawful prince, not of "the conqueror; and the Engliſh began "to flatter themſelves, that they had "changed, not the form of their go-"vernment, but only the ſucceſſion of "their ſovereigns, a matter which gave "them ſmall concern [13]."

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[12] Hiſt. of England, vol. ii. p. 10.

[13] Hiſt. of England, vol. i. p. 254. In the edition of 1773, this paſſage is in page 238 of the firſt volume.

When William, in 1067, went over into Normandy, he took with him many of the moſt conſiderable nobility of England: and Mr. Hume ſays, that "his "Engliſh courtiers, willing to ingratiate "themſelves with their new ſovereign, "endeavoured to outſhine each other in "equipages and entertainments; and "made a diſplay of riches, which ſtruck "the foreigners with aſtoniſhment. "William of Poictiers, a Norman hiſto-"rian, who was preſent, ſpeaks with "admiration of the beauty of their per-"ſons, the ſize and workmanſhip of "their ſilver plate, the coſtlineſs of their "embroideries, an art in which the "Engliſh then excelled; and he expreſſes "himſelf in ſuch terms, as would much "exalt our idea of the opulence and "cultivation of the people." But Mr. Hume adds in a note, that "as the "hiſtorian chiefly inſiſts on the ſilver "plate, his panegyricks on the Engliſh "magnificence ſhows only how incom-"petent a judge he was of the matter. "Silver was then of ten times the va-"lue, and was more than twenty times

"more rare than at preſent; and conſe-
"quently, of all ſpecies of luxury,
"plate muſt have been the rareſt[14]."
This ſeems an extraordinary remark, and by no means ſufficient to impeach the judgment of the Norman hiſtorian. If the Engliſh made a great diſplay of ſilver plate, and plate was at that time extremely ſcarce and valuable, nothing could be more natural, than that the hiſtorian, deſcribing the magnificence of the Engliſh, ſhould dwell particularly upon this circumſtance.

WILLIAM the Norman, ſoon after he was firmly ſettled on the throne, violated his coronation oath, and was guilty, eſpecially in the latter part of his reign, of various acts of tyranny, inconſiſtent with the engagements into which he had entered. It ſhould, however, be obſerved, that many of his Engliſh ſubjects ſoon gave the ſtrongeſt indications of their averſion to a deſpotic government; and their various inſurrections, though not attended

[14] Hiſt. vol. i. p. 255, 256.

attended with ſucceſs, prove that their minds were by no means fitted to the yoke of ſlavery.

It is obſerved by Lord Lyttelton, that "a diſtinction is to be made between "the *government* of William the Firſt, "which was very tyrannical, and the "*conſtitution* eſtabliſhed under him in "this kingdom, which was no abſolute "monarchy, but an ingraftment of the "feudal tenures and other cuſtoms of "Normandy upon the antient Saxon "laws of Edward the Confeſſor. He "more than once ſwore to maintain "thoſe laws, and in the fourth year of "his reign confirmed them in parlia-"ment; yet not without great altera-"tions, to which the whole legiſlature "agreed, by a more compleat introduc-"tion of the ſtrict feudal law, as it was "practiſed in Normandy; which pro-"duced a different political ſyſtem, and "changed both power and property in "many reſpects; though the firſt prin-"ciples of that law, and general no-"tions of it, had been in uſe among the

"Engliſh

" Engliſh ſome ages before. But that " the liberty of the ſubject was not de- " ſtroyed by theſe alterations, as ſome " writers have ſuppoſed, plainly appears " by the very ſtatutes that William " enacted, in one of which we find an " expreſs declaration, " *That all the free-* " *men in this kingdom ſhould hold and enjoy* " *their lands and poſſeſſions free from all* " *unjuſt exaction, and from all tallage; ſo* " *that nothing ſhould be exacted or taken of* " *them, but their free ſervice, which they* " *by right owed to the crown, and were* " *bound to perform.*" It is farther ſaid, " *That this was ordained and granted to* " *them as an hereditary right for ever, by* " *the common council of the kingdom* [15]."

THESE obſervations of the noble hiſtorian are unqueſtionably juſt; and yet we are told by Mr. Hume, that William the Firſt " acted in every thing as *abſo-* " *lute maſter* over the natives, whoſe in- " tereſts and affections he totally diſre- " garded;"

[15] Hiſt. of the Life of King Henry the Second, vol. i. p. 41, 42. edit. 4to. 1767.

" garded;" and that " it would be diffi-
" cult to find, in *all hiſtory*, a revolution
" more deſtructive, or attended with a
" more *compleat ſubjection* of the ancient
" inhabitants [16]." Theſe are very extra-ordinary aſſertions, and as ill-grounded as they are extraordinary; but ſuch unwarrantable aſſertions are not uncommon in Mr. Hume's hiſtory.

Our hiſtorian alſo ſays, that William " had rendered himſelf *univerſal proprietor* " of England [17];" and he ſpeaks of the " Engliſh as having " tamely ſurren-
" dered themſelves, without reſiſtance,
" to a tyrant and a conqueror [18]." But this is certainly a very groſs miſrepreſentation. The Engliſh had fought againſt the Normans, at the battle of Haſtings, with great gallantry [19]; and if they ſubmitted afterwards to William, it was becauſe their prince Harold, in whom

[16] Hume's Hiſt. vol. i. p. 302, 303.

[17] P. 295. [18] P. 263.

[19] Mr. Tyrrell obſerves, that though the number of the killed at the battle of Haſtings is not exactly aſcertained; yet " it is acknowledged on all hands
" that

whom only they had any confidence, was killed, and becauſe the Norman claimed a right to the crown by a ſuppoſed deſtination of king Edward the Confeſſor; and when they received William as their king, it was under the idea of a lawful prince, who was to govern according to the antient cuſtoms and uſages of the kingdom. Mr. Hume alſo ſpeaks of the natives of England as being "univerſally "reduced to a ſtate of meanneſs and po-"verty" in the reign of this prince; but that this was by no means the caſe, has been ſufficiently ſhewn by Lord Lyttelton[20].

Our accounts of the tranſactions of the great council of the nation, are very imperfect during the reigns of the firſt princes of the Norman line: but when we reflect how ſcanty an account is given

"that there were ſo many on the Normans ſide, as "well as the Engliſh, that nothing but the over-"ruling providence of God, by the death of their "king, could have given it (the victory) away "from them to their enemies." Vol. i. p. 114.

[20] Hiſt. vol. i. p. 58.

ven of parliamentary proceedings even in much later reigns, in ſome of our general hiſtories of England of very modern date, we can hardly wonder, that in the dark and monkiſh ages, when ignorance and barbariſm had over-ſpread the face of Europe, our accounts of the proceedings of the great national aſſemblies ſhould be exceedingly imperfect: and yet, in the darkeſt ages, we find that there were national aſſemblies in England, and that the power of the prince was limited, though not with the accuracy and preciſion that it ought to have been: but this could not juſtly be expected, in ages when the true principles of government and legiſlation were ſo little underſtood.

In a ſpeech made by king Henry I. youngeſt ſon to William I. in a meeting "of the great men of the realm," which is preſerved by Matthew Paris, is the following paſſage: "I, truly a king, "meek, humble, and peaceable, will pre-"ſerve and cheriſh you in your *antient* "liberties, which I have formerly ſworn

" to obſerve[21]." And a charter was alſo granted by this prince, for the ſecuring and confirming to the people the poſſeſſion of their antient liberties[22]; and Lord Lyttelton obſerves, that " in ſome " reſpects, this charter of Henry the " Firſt was more advantageous to liberty " than Magna Charta itſelf." The noble hiſtorian alſo remarks of this charter, from Sir Henry Spelman, that " it was " the original of king John's Magna " Charta, containing moſt of the articles " of it, either particularly expreſſed, or " in general, under the confirmation it " gives to the laws of Edward the Con- " feſſor."—" So miſtaken are they," ſays Lord Lyttelton, " who have ſuppoſed " that all the privileges granted in Magna " Charta were *innovations*, extorted by " the arms of rebels from king John! " a notion which ſeems to have been firſt " taken up, not ſo much out of igno- " rance, as from a baſe motive of adula- " tion to ſome of our princes in latter " times,

[21] Parliamentary Hiſt. of England, vol. i. p. 10.

[22] Ibid. p. 20. Vid. alſo lord Lyttelton's Hiſt. of Henry the Second, vol. i. p. 98, 99.

" times, who, endeavouring to graſp at
" abſolute power, were deſirous of any
" pretence to conſider theſe laws, which
" ſtood in their way, as violent encroach-
" ments made by the barons on the an-
" tient rights of the crown: whereas
" they were, in reality, reſtitutions and
" ſanctions of antient rights enjoyed by
" the nobility and people of England in
" former reigns; or limitations of pow-
" ers which the king had illegally and
" arbitrarily ſtretched beyond their due
" bounds [23]."

Mr. Hume, ſpeaking of this charter of Henry I. obſerves, that after the preſent turn was ſerved, that prince " *never once*
" *thought*, during his reign, of obſerving
" *one ſingle article* of it; and the whole
" fell ſo much into neglect and oblivion,
" that, in the following century, when
" the barons, who had heard an *obſcure*
" *tradition* of it, deſired to make it the
" model of the great charter, which they
" *exacted* from king John, they could
" only find one copy of it in the whole

 " king-

[23] Hiſt. of Henry II. vol. i. p. 99. 4to. edit.

" kingdom." Our hiſtorian appears here to have done great injuſtice to the adminiſtration of Henry I. whoſe government was far from being of that arbitrary nature which he hath repreſented it [24]; and as to his aſſertion reſpecting the obſcurity into which this charter had fallen, it is founded on a paſſage in Matthew Paris, which lord Lyttelton hath ſhewn to be of very little weight [25]; in which opinion the noble writer is ſupported by the learned judge Blackſtone.

In a meeting, which the writers of the parliamentary hiſtory of England term " a convention of the eſtates," held in 1136, by king Stephen, ſucceſſor to Henry I. that prince ſigned a charter, in which he promiſed, that he would " well " and truly keep all the good old laws " and cuſtoms in all caſes whatſoever."

In 1155, a parliament was aſſembled by king Henry II. for a remarkable purpoſe,

[24] See this very clearly ſhewn by lord Lyttelton, Hiſt. vol. i. p. 100, 101, 158.

[25] Hiſt. vol. i. p. 487, 488.

poſe, of which no notice is taken by Mr. Hume, but of which the following account is given by lord Lyttelton. "Henry "called a parliament to meet him at "Wallingford, ſoon after Eaſter, in the "year eleven hundred and fifty-five, "which ſettled the ſucceſſion of the "crown, after his deceaſe, upon his el-"deſt ſon William, who was then but "three years old; and, in caſe of the "death of William, (which happened "ſoon afterwards) upon prince Henry, "a ſecond ſon, born to him at London "in the month of March this year. "Oaths of fealty were accordingly taken "to both; and we may aſſuredly infer "from this, as well as many other facts, "that no right of birth, how indiſpu-"table ſoever, was thought, in thoſe "days, a ſufficient title to convey the "ſucceſſion, without a parliamentary ac-"knowledgment of it, followed and con-"firmed by feudal engagements. For "if the crown had then deſcended of "courſe to the eldeſt ſon of the king, "it would not have been neceſſary to "ſummon a parliament purely on this

"ac-

" account [26]." His lordſhip alſo obſerves, that " in another parliament held at Lon-" don ſoon after this time, or rather in " the ſame, adjourned to that city, he " (Henry II.) granted to his people a " charter of liberties, confirming that of " his grandfather, king Henry the " Firſt [27]." And the ſame noble writer, ſpeaking of the ſtate of the Engliſh government at this time, ſays, that though it was not equal to the wiſdom of the preſent conſtitution, yet " from the mix-" ture of Saxon cuſtoms, which miti-" gated and tempered the Norman in-" ſtitutions, it was the beſt feudal go-" vernment ſubſiſting, at that time, in " any part of the world [28]."

In the repreſentation which Mr. Hume has given of the ravages committed by king John, and his foreign troops, after he had reſolved to violate the great charter,

[26] Hiſtory of the life of king Henry the Second, vol. ii. p. 14.

[27] P. 15. The charter mentioned above, is inſerted in the appendix to lord Lyttelton's hiſtory.

[28] P. 16.

ter, which he had ſolemnly ſworn to obſerve, theſe violences and depredations of the king and his foreign mercenaries ſeem to be much exaggerated, at leaſt, as to their extent. John unqueſtionably acted like a perjured tyrant; and the barbarity and injuſtice which he exerciſed towards his ſubjects, in various parts of England, rendered him a juſt object of deteſtation. But there appears no ſufficient reaſon for ſuppoſing, that he laid waſte the kingdom to the extent that is repreſented by Mr. Hume [29]. And though the barons did not make ſo vigorous an oppoſition as might have been expected to the outrages of John, and though the oppoſition they did make was not conducted in the moſt judicious manner, it yet appears, that many of them immediately took up arms, and made ſome very ſpirited efforts againſt thoſe, whom they conſidered as the ſupporters of the tyranny of the king [30].

Mr.

[29] Hiſt. vol. ii. p. 96. edit. 1763.

[30] Vid. Tyrrell's Hiſt. of England, vol. ii. p. 787.

Mr. Hume's obſervations relative to the charter granted by king Henry III. at the beginning of his reign, and the other charters granted by the preceding princes, appear to be very juſt; though, perhaps, not quite conſiſtent with his repreſentations and remarks in other places. Theſe famous charters, he ſays, "were, during many generations, the "darling of the whole Engliſh nation, "and eſteemed the moſt ſacred rampart "to national liberty and independance. "As they ſecured the rights of all or-"ders of men, they were regarded with "a jealous eye by all, and became the "baſis, in a manner, of the Engliſh mo-"narchy, and a kind of original con-"tract, which both limited the authority "of the king, and inſured the conditi-"onal allegiance of his ſubjects. Though "often violated, they were ſtill claimed "and recalled by the nobility and peo-"ple; and as no precedents were ſup-"poſed valid that infringed them, they "rather acquired, than loſt authority, "from the frequent attempts made a-"gainſt them in ſeveral ages, by regal

"and

"and arbitrary power[31]." But notwithſtanding theſe liberal remarks, Mr. Hume, in other paſſages of his work, mentions one of Henry the Third's charters, as being "copied from the former *conceſſions* "*extorted* from John[32];" he alſo ſpeaks of the barons having "*impoſed* on John "and his ſucceſſors limitations of the "royal power[33];" and ſays farther, that "the licentious and powerful barons" had "*broke the reins of ſubjection* to their "prince, and *obtained, by violence*, an en-"largement of their liberties and inde-"pendence[34]."

THOSE princes who have been dethroned, in conſequence of the folly or iniquity of their government, ſeldom fail to meet with an advocate in Mr. Hume. Thus we find him groſsly palliating the conduct and adminiſtration of Edward II. Richard II. and Charles I. Of Edward II. he ſays, that "it is not eaſy to ima-

[31] Hiſt. vol. ii. p. 149, 150. In the edition of 1773, this paſſage ſtands in the 147th page of the ſecond volume.

[32] P. 148. [33] P. 179. [34] P. 155.

"gine a man more innocent and inoffen-
"ſive than this unhappy king; nor a
"prince leſs fitted for governing that
"fierce and turbulent people, ſubjected
"to his authority[35]." That Edward was a weak prince is very certain; and it appears alſo ſufficiently manifeſt, that he was vicious as well as weak. If his incapacity was not a ſufficient ground for the oppoſition of his ſubjects, the vices of his adminiſtration certainly were. At the very commencement of his reign, and before the interment of his father, he arbitrarily impriſoned Walter de Langton, biſhop of Litchfield and Coventry, and ſeized his effects. And this appears to have been an act of perſonal revenge in the king, and is not very conſiſtent with that inoffenſive character which Mr. Hume attributes to him[36].

PIERCE

[35] Hiſt. of England, vol. ii. p. 360. edit. 8vo. 1773.

[36] The above-mentioned prelate had complained to king Edward I. of the improper attachment that his ſon, prince Edward, had to Pierce Gaveſton, who gave him ill counſel, and led him into looſe and debauched courſes. And this young Edward ſhewed

PIERCE Gaveſton, his favourite, diſtinguiſhed himſelf by the arrogance of his behaviour: he was alſo charged with abuſing the king's ear by obtaining immoderate grants for himſelf, with embezzling the treaſure of the kingdom, and taking the beſt jewels of the crown to his own uſe; all which occaſioned a ſentence of perpetual baniſhment to be ſolemnly paſſed againſt him in parliament in 1308; and though the king himſelf agreed to this ſentence, and publickly ratified it, yet Gaveſton afterwards returned to England, where the king openly took him into favour, and tranſacted public affairs ſolely by his advice. The favourite alſo, after his return, treated the moſt conſiderable men in the kingdom with the greateſt inſolence; which ſo exaſperated them, that we are informed, by ſome of our hiſtorians, the earls and barons "plainly told "the king, that unleſs he would baniſh "Pierce Gaveſton, they would all riſe

ſhewed his reſentment of, in the moſt arbitrary manner, when he aſcended the throne.

"againſt him as a perjured prince." But he was ſo far from being inclined to conſent again to the baniſhment of his favourite, that he ſent over to Gaſcoigny, to procure troops to defend Gaveſton, by force, in his continuance in England.

Such was the folly of this prince, that "he acted all things by the ſole influence of his favourite; whoſe indiſcretion, as well as covetouſneſs, was ſuch, "as to leave the king's coffers ſo bare "of money, that he had not ſometimes "wherewithal to defray the uſual expences of his family: and the queen "herſelf was ſo ſtraitened for her neceſſary allowance, that ſhe was forced to "write letters of complaint to her brother, the king of France[37]." And it was alledged by the lords, in their accuſation againſt Gaveſton, "that the "laws and cuſtoms of the kingdom were "not obſerved, nor the ordinances, "lately

[37] Tyrrell's General Hiſt. of England, vol. iii. p. 234.

" lately made, regarded, but openly vio-
" lated and broken at his pleaſure."

AFTER the death of Gaveſton, the affairs of the kingdom were committed, by Edward, to his two other favourites, the Spenſers, father and ſon, and their acts of violence and injuſtice ratified by him. The earl of Lancaſter, though a prince of the blood, was put to death in an irregular and illegal manner. This nobleman, whilſt he lived, was ſome check upon the king; but of his adminiſtration, after the death of Lancaſter, the following repreſentation is given: "After
" the return of the Deſpenſers, and the
" death of the Earl of Lancaſter, the
" king, looking upon himſelf as abſolute
" lord and maſter over all his kingdom,
" grew much worſe than ever he had
" been before; ſlighting the nobility,
" and giving himſelf up to avarice, by
" invading other men's properties, and
" to as great luxury in the ſpending of it,
" ſparing none that had oppoſed him,
" but made it a pretence to enrich him-
" ſelf

" ſelf by the forfeiture of their eſtates [38]."
And in the articles of mal-adminiſtration, brought againſt this king in parliament, it is ſaid, that " whereas he was " bound by his oath to do right to all, " he would not do it for his own profit, " and the covetouſneſs of him and his " evil counſellors who were with him; " neither regarded the other points of " the oath which he made at his corona- " tion, as he was obliged. Alſo he aban- " doned his realm, and did as much as " in him lay to deſtroy it, and his peo- " ple; and, what is worſe, by the cru- " elty and the defaults of his perſon, he " is found incorrigible, and without " hopes of amendment. All which things " are ſo notorious, they cannot be gain- " ſaid."

In Mr. Hume's repreſentation of the tranſactions in the reign of king Richard the Second, he is alſo extremely partial to that prince. He admits, indeed, that he was " a weak prince, unfit for go- " vernment;" but he takes abundant pains

[38] Tyrrell, vol iii. p. 293.

pains to palliate his miſconduct and tyranny. And in the introduction to his account of the civil wars between the two houſes of York and Lancaſter, he ſays, "the Engliſh were now to pay the ſe-"vere, though late penalty, of their *tur-*"*bulence* under Richard II. and of their "*levity* in violating, *without any neceſ-*"*ſity* or *juſt reaſon*, the lineal ſucceſſion "of their monarchs [39]." It is, however, certain, that the government of Richard II. was ſufficiently oppreſſive to juſtify an oppoſition to it; and we cannot ſuppoſe, that any faithful or impartial hiſtorian, would have imputed the depoſition of this prince either to the *turbulence* or *levity* of the Engliſh.

EARLY in this king's reign, by his own authority, and that of his privy council, he aſſumed a power of diſpenſing with the laws which had been ſolemnly agreed upon in parliament [40]. And when both houſes joined in an accuſa-

[39] Hiſt. of England, vol. i. p. 180. edit. 1773.

[40] Vid. Parliamentary Hiſt. of England, vol. i. p. 393.

cuſation againſt his favourite, Michael de la Pole, earl of Suffolk, and deſired that he might be removed from the chancellorſhip, he ſent them word, that "he "would not for them, or at their inſtance, remove the meaneſt ſcullion-"boy in his kitchen[41]." He alſo threatened the parliament afterwards, on their making a vigorous oppoſition to his proceedings, that he would call in his couſin, the king of France, and from him aſk advice and aid; nay, even ſubmit himſelf to him, rather than truckle to his own ſubjects[42]. And in the articles exhibited againſt Richard, at the time of his depoſition, it was aſſerted, that, in the preſence of many lords, as well as commoners, he had frequently ſaid and affirmed, "that the life of every one of "his ſubjects, and his lands, tenements, "goods, and chattels, are his, the ſaid "king's, at his will and pleaſure, with-"out any forfeiture[43]."

RICHARD

[41] Tyrrell's Hiſt. of England, vol. iii, p. 891.

[42] Tyrrell, p. 892, 893.

[43] Parliamentary Hiſtory, vol. ii. p. 21.

RICHARD was alſo guilty of the moſt unjuſtifiable practices with reſpect to the parliament, and the election of its members[44]. And by tampering with the judges, he brought them to give the moſt ſhameful opinions, in ſupport of his arbitrary proceedings. Among other opinions which were given by theſe judges, Treſilian, Belknappe, &c. were the following: That no matters ought to be brought on in parliament, but agreeable to the king's directions: "and if any act "contrary to the king's pleaſure made "known therein, they are to be puniſh-"ed as traitors." That the lords and

[44] Tyrrell ſays, "The king, by certain indirect "practices, and tampering with the ſheriffs of ſe-"veral counties, whom he had now made for this "purpoſe, cauſed them to return ſuch knights of "ſhires, without any due elections, as he had be-"fore named, and ſent down to them; and this "is worth our obſervation, becauſe it is the firſt "example of any king's making uſe of an arbitrary "and illegal power in this kind." P. 964. And we are informed, in the *Parliamentary Hiſtory*, that Richard's council of ſtate commanded the ſheriffs "to ſuffer none to be returned as knights or bur-"geſſes in parliament, but *ſuch as the king and his "council ſhould nominate.*" Vol. i. p. 432.

commons cannot, without the will of the king, impeach in parliament any of his judges or officers: "and if any one "ſhould do ſo, he is to be puniſhed as "a traitor[45]." But infamous as theſe opinions are, Mr. Hume informs us, that *there want not plauſible reaſons to juſtify theſe opinions of the judges*[46]. The parliament of that age, however, thought more juſtly, and theſe proſtituted judges were afterwards convicted of high treaſon for advancing theſe opinions, nor were any *plauſible reaſons* then found ſufficient for their exculpation.

Mr. Hume ſays, that Richard did not impoſe "any arbitrary taxes: even the "parliament, in the articles of his depo-"ſition, though they complain of heavy "taxes, affirm not that they were im-"poſed illegally, or by arbitrary will[47]." But a very different account is given by Mr. Tyrrell, and much more conformable

[45] Parliament. Hiſt. vol. i. p. 433, 434.

[46] Hiſt. vol. iii. p. 19. edit. 1773.

[47] Hiſt. vol. iii. p. 43.

able to truth. He ſays, " that the pro-
" fits and revenues of the crown, nay,
" of the whole kingdom, was let to farm
" to certain favourites, who cruelly
" racked and oppreſſed the ſubjects.
" And, as an inſtance of this, great ſums
" of money were, by new-found and un-
" wonted means, every day rather ex-
" torted than borrowed from all ſorts of
" people, whereof no advantage accrued
" to the kingdom, only the king's pri-
" vate pleaſures were maintained at an
" extravagant rate, and unworthy fa-
" vourites advanced. To which we may
" add, that the king was ſo exceeding
" liberal, or rather prodigal, that he
" was forced to borrow and extort mo-
" ney from many perſons, to ſupply this
" vain, laviſh humour; undoing many
" without cauſe, to enrich a few without
" deſert. Over and above tenths and
" fifteenths, and other uſual taxes, which
" were ſometimes gathered twice in a
" year, other ſtrange impoſitions were
" deviſed and put in practice; for he had
" often extorted great ſums from the
" people, under the colour of benevo-

 " lence,

" lence, beſides what was borrowed upon
" privy ſeals; ſo that no man of ability
" could eſcape thoſe loans, though of
" theſe ſeldom any re-payment was
" made [48]."

Mr. Hume treats, in a very ſlight and curſory manner, the articles exhibited againſt Richard at the time of his depoſition, as if the accuſations brought againſt him in parliament were not very conſiderable. But in theſe articles he was charged with violating his coronation oath, with countenancing acts of the greateſt violence, even robberies, rapes, and murders; and with impoſing oaths on his ſubjects at his pleaſure, *that he might the more freely execute and follow the humour of his fooliſh and unlawful will.*

One of the articles againſt Richard is, that " the ſaid king, not willing to keep
" or protect the juſt laws and cuſtoms
" of his kingdom, but, according to his
" arbitrary will, to do whatſoever ſhould
" occur to his deſires, ſometimes, and
" very

[48] Hiſt. of Eng. vol. iii. p. 992.

" very often, when the laws of his " kingdom have been expounded and " declared to him by the judges and " others of his council, and that they " have desired that he would do justice " according to those laws, hath expres- " ly, and with an angry and haughty " countenance, said, *That his laws were* " *in his mouth*; and sometimes, *That they* " *were in his breast*; and, *That he himself* " *alone could make and change the laws of* " *his kingdom:* and, being seduced with " that opinion, did not suffer justice to " be done to very many of his liege peo- " ple; but, by threats and terrors, hath " forced very many to cease from the " prosecution of common justice[49]."

In the twenty-fifth article against him, it is said, that " he was so variable and " dissembling in his words and actions, " and so contrary to himself, especially " in writing to the pope, kings, and other " lords out of the kingdom, as well as " within it, and also to his other sub- " jects, that no man living, knowing " what

[49] Parliamentary Hist. vol. ii. p. 18.

" what he was, could confide in him;
" yea, he was reputed ſo unfaithful and
" inconſtant, that he not only became a
" ſcandal to his own perſon, but alſo to
" the whole kingdom, and to all fo-
" reigners, when once they came to
" know him."

RICHARD attempted, in an arbitrary and unjuſt manner, to deprive Henry, duke of Hereford, of his ſucceſſion to the honours and eſtates of his father, the duke of Lancaſter; and ordered Henry Blewett to be baniſhed for life, for no other crime than acting as the duke's agent, and endeavouring to obtain juſtice for him. He alſo ſeized the charter of the city of London, and gave ſuch great offence to the citizens by his arbitrary treatment of the corporation, that this is ſuppoſed greatly to have facilitated his depoſition.

To enumerate all the articles exhibited againſt Richard the Second, or to examine how far each of them can be ſupported by evidence, would exceed the in-

intended limits of this publication. It will be ſufficient for our purpoſe, if what has been already advanced relative to the government of this prince, proves its tyrannical nature, and that the account of his reign given by Mr. Hume is partial and fallacious.

It muſt, indeed, excite ſome ſurprize in the unprejudiced reader, to find, that our hiſtorian is ſo far from giving a juſt repreſentation of the deſpotic adminiſtration of Richard, that he even makes it a matter of doubt, whether this prince had been guilty of any acts of oppreſſion at all. "Had he," ſays our author, "poſſeſſed "the talents of gaining, and ſtill more "thoſe of over-awing, his great barons, "he might have eſcaped all the misfor-"tunes of his reign, and been allowed to "carry much further his oppreſſions "over the people, *if he really was guilty* "*of any*, without their daring to rebel, "or even to murmur againſt him[50]."

When

[50] Hiſt. of Eng. vol. iii. p. 53.

When Mr. Hume comes down to a lower period, to the hiſtory of the princes of the houſe of Tudor, he is not equally chargeable with extenuating their tyranny. On the contrary, his repreſentation of it is, in ſome reſpects, much exaggerated; his deſign in which manifeſtly was, to make their conduct ſerve as an apology for the princes of the Houſe of Stuart. It may be conſidered as a kind of favourite hypotheſis with him, that the Engliſh government was little better than deſpotic at the acceſſion of James the Firſt; and, in order to ſupport this, he has laboured to carry the ideas of his readers, reſpecting the arbitrary government of the Tudors, far beyond the truth. It cannot be denied, that there were many flagrant ſtretches of power under the princes of the Houſe of Tudor. But it may be remarked, that ſeveral cauſes prevented the people from making, at this period, a more vigorous oppoſition to the encroachments of the crown. It is juſtly obſerved by Lord Lyttelton, that "there "is no time of greater danger to liberty,

"than

" than the firſt calm that ſucceeds to a " long continuance of inteſtine commo- " tions." This was preciſely the caſe at the acceſſion of the houſe of Tudor. The nation was wearied and exhauſted by the long and deſtructive wars between the houſes of York and Lancaſter. The ancient nobility were in great part cut off in the courſe of theſe wars; and the people, diſpirited and enfeebled by the calamities they had ſuffered, were inclined to bear conſiderable injuries with a degree of patience to which they had not been accuſtomed, rather than involve themſelves again in the miſeries of civil war.

HENRY the Seventh, the firſt prince of the Tudor line, was a wary and a crafty prince, ſtudious to enrich his coffers, and to extend his prerogative; and he artfully availed himſelf of every circumſtance in his favour. Nathaniel Bacon ſays of him, that " caſting his " eye upon the government, and finding " it of a *mixt temper*, wherein if royalty " prevails not, popularity will; like a

" good ſoldier, whilſt his ſtrength is full, " he ſallies upon the people's liberties, " in regard of their perſons, with ſuch " cunning conveyance, as he taught the " people to dance more often and better " to the tune of prerogative and allegi- " ance, than all his predeceſſors had " done. Nor did the people perceive it, " till they were over their ſhoes; and " then they clearly ſaw their condition[51]." However, it is mentioned by lord Bacon, as one of the reaſons which induced Henry to haſten the calling his firſt parliament, that " he made this judgment, " that it was fit for him to haſten to " let his people ſee, that he meant to " govern by law, howſoever he came in " by the ſword."

THE ſon and ſucceſſor of this prince, Henry the Eighth, who was arrogant, fearleſs, and impetuous, and who yet had many popular qualities, was not a prince under whoſe adminiſtration the nation could have any great probability of

[51] Hiſtorical and political Diſcourſe on the laws and government of England, part ii. p. 114.

of regaining any privileges which had been uſurped from them; unleſs by the moſt animated exertions, and by drawing the ſword againſt him. But they were not prepared for this, and therefore ſubmitted to many violent acts of power, and to great extenſions of the prerogative. It muſt not, however, be ſuppoſed, that the people of that age did, therefore, generally conſider the prince, as poſſeſſed of a right to act in that manner by the antient conſtitution. They certainly did not conſider him as having that right: and though the prerogatives of the prince, and the privileges of the people, were not exactly aſcertained; yet the latter conſidered themſelves as having as juſt a claim to their ancient and accuſtomed privileges, as the prince had to the prerogatives of his crown. Nor can occaſional inſtances of tyrannical behaviour in the prince, be admitted to be any juſt proof of an eſtabliſhed deſpotiſm.

HENRY the Eighth was one of the moſt arbitrary princes who ever ſwayed the

ſceptre of England; and yet in his reign it was ſolemnly declared, that the ſupreme authority was veſted in the king, lords, and commons: which can give us no other idea than that of a limited monarchy. In the preamble to an act paſſed in the twenty-fifth year of the reign of this prince, is the following paſſage: "It ſtandeth, therefore, with natural "equity and good reaſon, that in all "and every ſuch human laws made with-"in this realm, or induced into this "realm by the ſaid ſufferance, conſents, "and cuſtom, your royal majeſty, and "your lords ſpiritual and temporal, and "commons, repreſenting the whole ſtate "of your realm, in this your high court "of parliament, have full power and "authority not only to diſpenſe with "thoſe, and all other human laws of "this your realm, as the quality of the "perſons and matter ſhall require: alſo "the ſaid laws, and every of them, to "abrogate, annul, amplify, and dimi-"niſh, as it ſhall ſeem to your majeſty, "and the nobles and commons of your "realm, preſent in your parliament,

"meet

"meet and convenient for the wealth of "your realm."

However arbitrary, on ſome occaſions, might be the behaviour of the king and his miniſters, it is manifeſt, that the people thought they had rights and privileges by the antient conſtitution of the kingdom, which the king ought not to violate. It is alſo evident, that they conſidered themſelves as having a right to judge of the propriety of granting ſubſidies to the king, and that their property was not to be taken from them without their own conſent. And when cardinal Wolſey, in the height of his power, went to the houſe of commons, in order to reaſon with thoſe who oppoſed granting the taxes required by the king, they refuſed to reaſon with him upon the ſubject [52].

In 1525, when commiſſions were iſſued for levying taxes without parliamentary authority, lord Herbert ſays, "the peo-"ple

[52] Lord Herbert's Hiſt. of the Reign of Henry the Eighth, p. 146. edit. 1649.

" ple in general took it ſo ill, that it was " like to have grown to a rebellion; al- " ledging," among other reaſons, " that " theſe commiſſions were againſt the " law." And though Henry, and his miniſter the cardinal, occaſionally uſed very arbitrary language, yet this haughty monarch, on finding the oppoſition of the people, thought proper to lower his tone, and, " by letters ſent through all " the counties of England, declared, he " would have nothing of them but by " way of benevolence [53]."

THIS arrogant prince alſo, on other occaſions, ſometimes thought it neceſſary to cajole his ſubjects, and even to aſſume ſome appearance of humility, and to teſtify his gratitude for the ſupplies they afforded him. Thus, in a ſpeech made by him in parliament, in 1545, in anſwer to an oration addreſſed to him by the ſpeaker of the houſe of commons, Henry expreſſed himſelf in the following terms: " I, taking upon me to anſwer your elo- " quent oration, Mr. Speaker, ſay, that where " you,

[35] Herbert, p. 172.

" you, in the name of our well-beloved
" commons, have both praiſed and ex-
" tolled me for the notable qualities that
" you have conceived to be in me, I moſt
" humbly thank you all, that you have
" put me in remembrance of my duty,
" which is to endeavour myſelf to obtain
" and get ſuch excellent qualities, and
" neceſſary virtues, as a prince or gover-
" nor ſhould or ought to have; of which
" gifts I recognize myſelf both bare and
" barren: but of ſuch ſmall qualities as
" God hath endued me withal, I render
" to his goodneſs my moſt humble
" thanks, intending, with all my wit
" and diligence, to get and acquire to
" me ſuch notable virtues and princely
" qualities, as you have alledged to be
" incorporated in my perſon. Theſe
" thanks for your loving admonition and
" good council firſt remembered; I eft-
" ſoons thank you again; becauſe that
" you, conſidering our great charge, not
" for our pleaſure, but for your defence;
" not for our gain, but to our great
" coſt which we have lately ſuſtained,
" as well in defence againſt our and
" your

" your enemies, as for the conqueſt of
" that fortreſs, which was to this realm
" moſt diſpleaſant and noiſome, and
" ſhall be (by God's grace,) hereafter to
" our nation moſt profitable and plea-
" ſant, have freely, of your own minds,
" granted to us a certain ſubſidy, here
" in an act ſpecified, which verily we
" take in good part, regarding more
" your kindneſs than the profit thereof,
" as he that ſetteth more by your loving
" hearts, than by your ſubſtance [54]."

It is certain, that the power of the crown was exceedingly aggrandized, when the authority of the Roman pontiff was thrown off in England. His ſpiritual power being transferred to the king, and added to the other regal prerogatives, rendered the authority and influence of the prince much too great for the ſafety and happineſs of the people. But it ſhould be conſidered, that this acceſſion of power to the crown aroſe from an extraordinary coincidence of circumſtances, which the nation could not foreſee, for which

[54] Herbert, p. 534, 535.

which they were not prepared, and with the tendency and consequences of which they were not acquainted. They had severely felt the evil of papal usurpations and oppressions; they were therefore anxious to throw off the Roman yoke; and did not sufficiently consider, the danger to which they exposed themselves and their posterity, by transferring a similar authority to the king. Had they been sufficiently enlightened, they would have thrown off the authority of the Roman pontiff, without investing the crown with powers of a similar nature.

In his account of the reign of queen Elizabeth, whose disposition and conduct were sufficiently arbitrary, Mr. Hume says, that "the maxims of her "reign were conformable to the princi-"ples of the times, and to the opinion "which was generally entertained with "regard to the constitution[55];" and at the same time informs us, that the following was "the opinion which Eliza-"beth entertained of the duty and au-

 "thority

[55] Hist. vol. v. p. 188. edit. 1763.

"thority of parliaments."—"They were "not to canvaſs any matters of ſtate: "ſtill leſs were they to meddle with the "church. Queſtions of either kind were "far above their reach, and were appro-"priated to the prince alone, or to thoſe "councils and miniſters with whom he "was pleaſed to intruſt them. What "then was the office of parliaments? "They might give directions for the "due *tanning of leather*, or *milling of* "*cloth*; for the *preſervation of pheaſants* "*and partridges*; for the reparation of "bridges and highways; for the puniſh-"ment of vagabonds or common beg-"gars. Regulations concerning the po-"lice of the country came properly un-"der their inſpection; and the laws of "this kind which they preſcribed, had, "if not a greater, yet a more durable "authority, than thoſe derived ſolely "from the proclamations of the ſove-"reign[56]." &c. But notwithſtanding this extraordinary repreſentation of Mr. Hume, it is certain, that even in that reign, much juſter ſentiments were entertained

[56] Hiſt. *ubi ſupra*, p. 187.

tertained of the power and authority of Engliſh parliaments. Of this we have the fulleſt and moſt unqueſtionable evidence, in the writings of John Aylmer, Biſhop of London in the reign of Queen Elizabeth, and of Sir Thomas Smith, ſecretary of ſtate to that princeſs. In a piece written by Aylmer, and printed in 1559, is the following paſſage: "The "regiment of England is not a mere *Mo-* "*narchy*, as ſome, for lack of conſidera- "tion, think; nor a mere *Oligarchy*, nor "*Democracy*; but a mixed rule of all "theſe. Wherein each one of theſe "have, or ſhould have, like authority. "The image whereof, and not the "image, but the thing indeed, is to be "ſeen in the parliament-houſe; wherein "you ſhall find theſe three eſtates, the "king or queen, which repreſenteth "the *Monarchy*; the noblemen, which "be the *Ariſtocracy*; and the burgeſſes "and knights, the *Democracy*. The "very ſame had Lacedemonia, the no- "bleſt and beſt governed city that "ever was. They had their king, their "ſenate, and *hippagretes*, which were

" for the people. As in Lacedemonia, none " of theſe could make or break laws, or- " ders for war or peace, or do any thing " without the other; the king nothing " without the ſenate and commons, nor " either of them, or both, without the " king; albeit the ſenate and *ephori* had " greater authority than the king had. " In like manner, if the parliament uſe " their privileges, the king can ordain " nothing without them: if he do, it is " his fault in uſurping it, and their *folly* " in permitting it. Wherefore, in my " judgment, thoſe that in king Henry's " days would not grant him, that pro- " clamations ſhould have the force of a " ſtatute, were good fathers of the coun- " try, and worthy commendation in de- " fending their liberty[57]."

Sir Thomas Smith, in his treatiſe of the " Common-wealth of England," alſo expreſſes himſelf thus concerning the power and buſineſs of parliaments: " The " parliament abrogateth old laws, and " maketh

[57] Vid. Strype's Life of biſhop Aylmer, p. 269, 270.

" maketh new; giveth order for things " paſt, and for things hereafter to be " followed; changeth right and poſſeſ- " ſions of private men, legitimateth " baſtards, eſtabliſheth forms of religion, " altereth weights and meaſures, giveth " form of ſucceſſion to the crown, defin- " eth of doubtful right, whereof is no " law already made; appointeth ſubſi- " dies, tailles, taxes, and impoſitions; " giveth moſt free pardons and abſolu- " tions, reſtoreth in blood and name; " as the higheſt court, condemneth or " abſolveth them whom the prince will " put to that trial. And, to be ſhort, all " that ever the people of Rome might " do, either in *Centuriatis Comitiis*, or " *Tribunitiis*, the ſame may be done by " the parliament of England [58]." Theſe extracts are ſufficient to prove the fallacy of Mr. Hume's repreſentations, notwithſtanding the high notions which Elizabeth herſelf entertained of the prerogative. But our author ſometimes loves to make

[58] Smith's Common-wealth of England, p. 77. edit. Lond. 1633. Vid. Britiſh Biography, vol. iii. p. 241, 242.

make his readers ſtare; and therefore he has taken pains, in another part of his account of the reign of queen Elizabeth, to point out thoſe particulars in which the government of England reſembled that of Turkey[59]. In this Mr. Hume diſplayed the originality of his genius as an hiſtoric writer; for certainly no common author would have thought of comparing the conſtitution of the Engliſh government, which has been ſo long celebrated for its freedom, to one of the moſt deſpotic governments in the world.

Mr. Hume ſays, in his account of his own life, lately publiſhed, p. 23, that "it is ridiculous to conſider the Engliſh "conſtitution, before the period of the "acceſſion of the houſe of Stuart, as a "*regular plan* of liberty." And it is very true, that the liberties of the people were not aſcertained with the accuracy that they ought to have been, and that unjuſt ſtretches of power in the prince were too frequently ſubmitted to: but notwithſtanding this, the

[59] Hume's Hiſt. vol. v. p. 479.

the Engliſh government, from the earlieſt ages, has manifeſtly been characterized by a ſpirit of liberty; and the traces of a limited government are diſcernible, even in the darkeſt ages.

Mr. Hume, in his eſſays, quotes a paſſage from Sir Walter Raleigh, in which the king of England is ſpoken of under the title of an *abſolute monarch*[60]; in order to ſhew, that men's ideas of the Engliſh government were then very different from what they are at preſent. But upon this it may be obſerved, that when the phraſe *abſolute king* was formerly ſometimes applied to the king of England, it was evidently uſed in a different ſenſe from that which we now affix to the words *abſolute prince*. It was equivalent to the aſſertion, that the crown of England was imperial; by which nothing more was meant, than that the king of England was an independent prince, and not under the controul of any foreign power. In an act paſſed in the 24th year of the reign of Henry the Eighth, it is ſaid, that

[60] Political Diſcourſes, ſecond edition, Edinb. 1752, p. 257.

that " this realm of England is an em-
" pire, governed by one ſupreme head
" and king, and the crown or royal au-
" thority is alſo thereby declared impe-
" rial:" upon which it is juſtly obſerved by Mr. Tyrrell, who ſupports his opinion by the authority of Selden, " that " this ſupremacy or freedom from all " ſubjection, is not only challenged by " our Engliſh ſovereigns; but alſo by " the kings of Denmark, Sweden, and " Poland; the former of which yet was " ſo far from being an abſolute monarch, " that before the reign of this king's fa-
" ther[61], he might have been depoſed " for tyranny, or miſgovernment, by " the ſtates of the kingdom, as the king " of Poland may at this day. And, " therefore, theſe titles may indeed prove " a freedom from all foreign juriſdiction, " but do not prove that the king is en-
" dued with an abſolute ſovereign power " within

[61] The government of Denmark was rendered deſpotic in 1660, in the reign of Frederick the Third.

"within the kingdom [62]." No juſt argument, therefore, in ſupport of Mr. Hume's hypotheſis, can be drawn from the paſſage cited by him from Sir Walter Raleigh, nor from another which he hath quoted from Winwood for the ſame purpoſe.

In his account of the origin of the reformation, Mr. Hume has given an injurious repreſentation of the circumſtances and motives which induced Martin Luther to promote that great event; and Dr. Maclaine, in his tranſlation of Moſheim's Eccleſiaſtical Hiſtory, has very properly animadverted on the inſinuations againſt Luther, thrown out by Mr. Hume, and ſhewn them to be erroneous and ill-grounded. But, indeed, his account of the reformation in general, and his characters of thoſe by whom it was effected, are by no means fair and impartial, but, in many reſpects, juſtly deſerving of great cenſure. In his

[62] Tyrrell's Bibliotheca Politica, or an enquiry into the antient conſtitution of the Engliſh government, p. 215.

firſt edition of the hiſtory of Great Britain, under the houſe of Stuart, printed at Edinburgh in 4to. in 1754, his account of the reformers was, however, more injurious than in the preſent editions of his work. In that edition is the following paſſage: "The firſt reformers, "who made ſuch furious and ſucceſsful "attacks on the Romiſh ſuperſtition, and "ſhook it to its loweſt foundations, may "ſafely be pronounced to have been *uni-* "*verſally* inflamed with the higheſt en- "thuſiaſm. Theſe two ſpecies of religi- "on, the ſuperſtitious and fanatical, "ſtand in diametrical oppoſition to each "other; and a large portion of the lat- "ter muſt neceſſarily fall to his ſhare, "who is ſo courageous as to control "authority, and ſo aſſuming as to ob- "trude his own innovations upon the "world. Hence that rage of diſpute "which every where ſeized the new re- "ligioniſts; that diſdain of eccleſiaſti- "cal ſubjection; that contempt of cere- "monies, and of all the exterior pomp "and ſplendor of worſhip. And hence "too that inflexible intrepidity, with

"which

" which they braved dangers, torments,
" and even death itſelf; while *they*
" *preached the doctrine of peace*, and *car-*
" *ried the tumults of war*, through every
" part of Chriſtendom [63]."

A FEW pages after this, in the ſame edition, Mr. Hume gives an account of the nature of the Roman Catholic religion; and this he was induced to do, he informs us, becauſe " Hiſtory addreſſes itſelf to a more diſ-
" tant poſterity, than will ever be reached
" by any local or temporary theology;" and becauſe " the characters of ſects
" may be ſtudied, when their controver-
" ſies ſhall be *totally forgotten*." He ſeemed to ſuppoſe, that his hiſtory would ſurvive, when the Romiſh religion was forgotten, or at leaſt, when it ſhould ceaſe to be underſtood; and there is little reaſon to doubt, but that he entertained ſimilar ideas reſpecting the Proteſtant religion. And, indeed, it was

[63] P. 7, 8. Beſides the above paſſages, fifty lines more, immediately following, are omitted in the latter editions; but it is not thought neceſſary to recite them here.

fortunate, that the memory of these two inconsiderable sects should be transmitted to posterity, through the channel of Mr. Hume's history. However, in his account of popery is the following passage: "It has been observed, that upon the re- "vival of letters, very generous and en- "larged sentiments of religion prevailed "throughout all Italy; and that, during "the reign of Leo, the court of Rome "itself, in imitation of their illustrious "prince, had not been wanting in a just "sense of freedom. But when the *en-* "*raged* and *fanatical reformers* took arms "against the papal hierarchy, and threa- "tened to rend from the church at once "all her riches and authority; no won- "der she was animated with equal zeal "and ardour, in defence of such antient "and invaluable possessions [64].

THIS

[64] P. 26—As the above passages are omitted in the latter editions of Mr. Hume's history, the writer of these observations hath not particularly animadverted on, or examined, the strong charge brought against the reformers, of being *universally inflamed with the highest enthusiasm.* He was, however, of opinion, that these passages, and the omission of them,

This paſſage, and others in our author's work, were animadverted upon, with much good ſenſe and ſpirit, in a ſmall piece publiſhed at Edinburgh, in 8vo. in 1756, under the title of "Letters on Mr. Hume's Hiſtory of Great Britain:" and both the paſſages which have been juſt cited, appear to have been omitted in the latter editions of this hiſtory. At leaſt, they are wholly omitted in the editions which I have chiefly uſed; that is, the octavo editions of 1763 and 1773. And unfortunately for future ages, the whole of that curious paragraph, containing an account of popery, and which was addreſſed "to a more "diſtant poſterity than will ever be "reached by any local or temporary the-"ology," is entirely omitted. Though, if the uncaſtrated edition ſhould happily be preſerved in public libraries, poſterity may yet be in ſome degree enlightened.

Mr.

them, were not unworthy the notice of the public. Though it ſhould be obſerved by the reader, that all the other paſſages in Mr. Hume's work, on which remarks are here made, are cited as they ſtand in the later editions.

Mr. Hume ſpeaks of it as one of the advantages the firſt reformers had over the Romiſh clergy, and which contributed towards the reformation, that the latter "were totally unacquainted with "controverſy, much more with every "ſpecies of true literature; they were "unable to defend themſelves againſt "men, armed with authorities, citati-"ons, and popular topics, and qualified "to triumph in every altercation or de-"bate [65]." But though we may readily admit, that a very large part of the Romiſh clergy were immerſed in great ignorance, yet it is not to be ſuppoſed, but that there were many among them capable of defending the papal ſee, and the doctrines of the Romiſh church, with ſufficient ability for that age, if the cauſe in which they were engaged had been capable of being defended. But Mr. Hume was willing to attribute the ſucceſs of the reformers to any cauſe, rather than to the force of truth, or rational inveſtigation. He probably conſidered every ſpecies of religion, or, as he would rather

[65] Hiſt. vol. iv. p. 42, edit. 8vo. 1763.

rather term it, every ſpecies of ſuperſtition, as equally indefenſible on the principles of reaſon.

Our hiſtorian alſo mentions "the invention of printing," and "the revival of learning," as among the cauſes of the progreſs of the reformation. And it is true, that both theſe cauſes did conſiderably contribute to facilitate that great event. But notwithſtanding what he has inſinuated to the contrary, neither of theſe cauſes would have operated in any great degree in favour of the reformation, if the Romiſh religion had not been of ſuch a nature, that the extenſion of knowledge, and the increaſe of books, muſt tend to render its abſurdity, and the injuſtice of its pretenſions, more obvious and more generally known. As men became more enlightened, in conſequence of the reſurrection of letters, and of the facility with which books were multiplied by the important invention of the art of printing, it was highly natural, that a ſyſtem of ſuperſtition ſhould give way, which had derived its exiſtence from

from the ignorance and credulity of mankind, and which was utterly incapable of ſtanding the teſt of free enquiry and rational examination. But Mr. Hume gives it as his opinion, that reaſon did not bear "any conſiderable part "in opening men's eyes with regard "to the impoſtures of the Romiſh "church[66]:" and in another place he ſays, that the reformation "owed not "its ſucceſs to reaſon and reflection." Indeed, our hiſtorian ſeems to have had but a very low idea of the efficacy of reaſon in religious controverſy. For he ſays, that there is no inſtance, "where argu-"ment has been able to free the people "from that enormous load of abſurdity "with which ſuperſtition has *every* "*where* overwhelmed them."

JOHN Lambert, who lived in the very age of which Mr. Hume was writing, and who was burnt for hereſy in the reign of Henry the Eighth, appears to have had juſter ſentiments upon this ſubject. In his anſwer to the articles exhi-

[66] P. 40.

exhibited againſt him, ſpeaking of the writings of Luther, he expreſſes himſelf thus: "He (Luther) coveteth above all "things, as all his adverſaries do well "know, that all his writings, and the "writings of all his adverſaries, might "be tranſlated into all languages, to the "intent that all people might ſee and "know, what is ſaid of every part, "whereby men ſhould *the better judge* "what the *truth* is [67]." Lambert thought, and juſtly thought, that it was the truth and reaſon manifeſted in Luther's writings, which occaſioned them to have ſo much effect upon the minds of men, and to become ſo formidable to the Romiſh church. Indeed, Lambert, conſidering the age in which he lived, appears to have been well acquainted with the reaſonableneſs and importance of free enquiry in matters of religion.

Mr. Hume ſpeaks of the age of the reformation, as being generally *ſeized with a ſpirit of innovation* [68]; and *the novelty of*

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[67] Fox's Acts and Monuments, vol. ii. p. 398. edit. 1641.

[68] Hiſt. vol. iv. p. 141.

the doctrines of the reformation, he mentions as one of the circumſtances which facilitated that great event. But it is certainly not very common for large bodies of men, to ſhew a great readineſs in embracing opinions, either in theology, or any other ſubject, merely becauſe they are new. And the fact ſeems rather to be, that men have always had a ſtrong attachment to their antient opinions, and that it is with difficulty they are brought to reject them. Nor does it appear very philoſophical to ſuppoſe, that in the age of the reformation, men were influenced by ſentiments and propenſities ſo exceedingly different from thoſe by which they are ordinarily actuated. But Mr. Hume was willing to admit any ſuppoſition, however improbable, rather than acknowledge, that the reformation owed its ſucceſs to the force of truth and reaſon.

INDEED, Mr. Hume, notwithſtanding the liberties which he has himſelf taken in his writings, appears to have been no friend to the eſtabliſhed Proteſtant principle,

ciple, that all men have a right to examine for themſelves the foundation of thoſe religious opinions which are propoſed to them, or to which their teachers endeavour to procure their aſſent. At leaſt he aſſerts, that the generality of mankind are utterly unqualified for inquiries of this kind. "Nothing," ſays he, "forwarded more the firſt progreſs "of the reformers, than the offer, which "they made, of ſubmitting all religious "doctrines to private judgment, and the "ſummons given every one to examine "the principles formerly impoſed on "him. Though the multitude were "*totally unqualified* for this undertaking, "they yet were highly pleaſed with it[69]."

He ſeems to have thought, that the Proteſtants have treated the fopperies of the Romiſh church with too much ridicule, though his own enumeration of ſome of them is ſufficiently ludicrous. And he endeavours to perſuade his readers, that theſe abſurd ſuperſtitions were not ſo diſgraceful to Popery as may have

[69] P. 137.

been apprehended. Speaking of the diſſolution of the monaſteries, he ſays, "Proteſtant writers mention on this occaſion, with great triumph, the ſacred repoſitories of convents; the parings of St. Edmund's toes; ſome of the coals that roaſted St. Laurence; the girdle of the virgin ſhewn in eleven ſeveral places; two or three heads of St. Urſula; the felt of St. Thomas of Lancaſter, an infallible cure for the head-ach; part of St. Thomas of Canterbury's ſhirt, much reverenced by big-bellied women; ſome reliques, an excellent preventative againſt rain; others, a remedy to weeds in corn. But," the hiſtorian adds, "ſuch fooleries, as they are to be found in all ages and nations of the world, and even took place during the moſt refined periods of antiquity, form no PECULIAR nor VIOLENT reproach on the Catholic religion [79]."

OUR hiſtorian's hypotheſis reſpecting eccleſiaſtical eſtabliſhments, is ſomewhat curious,

[79] P. 194, 195.

curious. He admits, that if the ſupport of eccleſiaſtics were left to "the liberality "of individuals, who are attached to "their doctrines, and who find benefit "or conſolation from their ſpiritual mi-"niſtry and aſſiſtance; their induſtry "and vigilance" would "be whetted by "ſuch an additional motive; and their "ſkill in the profeſſion, as well as their "addreſs in governing the minds of the "people, muſt receive daily increaſe "from their increaſing practice, ſtudy, "and attention[71]." But this diligence of the clergy, which he ſtiles *intereſted*, Mr. Hume thought "every wiſe legiſla-"tor would ſtudy to prevent." He conſidered the clergy as of ſo much utility to ſociety, that the more indolent they were the better. "In reality," ſays he, "the moſt *decent* and *advantageous* "compoſition which he can make with "the ſpiritual guides, is to *bribe their* "*indolence*, by affixing ſtated ſalaries to "their profeſſion, and rendering it *ſuper-*"*fluous* for them to be *farther active*, "than merely to preſerve their flock "from

[71] P. 33.

"from ſtraying in queſt of *new paſ-*
"*tures*[72]." Theſe obſervations are introductory to his account of the reformation, but they are of ſo general a nature, that they are equally applicable to the clergy of any other church, as to that of the church of Rome.

Mr. Hume ſeems generally unwilling to ſuppoſe, that any perſons could ſuffer martyrdom from good motives; and, therefore, his accounts of perſons under ſuch circumſtances, are often extremely deſtitute of candour and of equity. Thus in his narrative of the caſe of Lambert, who was burnt in the reign of Henry the Eighth, with circumſtances of great barbarity, for denying the doctrine of the real preſence in the ſacrament, Mr. Hume ſays, that "Lambert poſſeſſed "that courage which conſiſts in obſti-"nacy;" though he had no other reaſon for this aſſertion, than that Lambert would not publickly abjure his opinions, to ſave his life. And he alſo ſuggeſts, that the fortitude with which he underwent

[72] P. 34.

went his public examination and ſufferings, was the reſult of *vanity*; a ſuggeſtion as void of probability as of equity. He who can ſuppoſe, that vanity will ſupport a man at the ſtake, muſt poſſeſs no ordinary portion of credulity. But Mr. Hume was willing to attribute the heroic firmneſs of Lambert to motives of any kind, however improbable, rather than to ſuch as would have done honour to his integrity, and to the religion he profeſſed. Our hiſtorian ſeems to have been fond of propagating the notion, that perſons ſuffering martyrdom for their opinions, might be more influenced by vain glory, than by motives of ſtrict integrity, and a regard to the ſacredneſs of truth. Thus ſpeaking of Anne Aſkew, and three other perſons who were burnt with her for hereſy, in 1546, he ſays, "They were all tied to "the ſtake; and in that dreadful ſituation, the chancellor ſent to inform "them, that their pardon was ready "drawn and ſigned, and ſhould inſtantly "be given them, if they would merit it "by a recantation. They only regarded

"this

"this offer as a *new ornament* to the "crown of martyrdom; and they ſaw "with tranquility the executioner kindle "the flames which conſumed them. "Wriotheſely did not conſider, that this "*public* and *noted ſituation* intereſted their "honour the more to maintain a ſteady "perſeverance[73]."

JOHN Lambert, who hath been juſt mentioned, was a clergyman, and ſeems to have been a man of conſiderable learning and abilities, and was entitled, from any candid and equitable hiſtorian, to a much more honourable repreſentation than is given of him by Mr. Hume. His real name was John Nicolſon; but he told king Henry, that he had been compelled to change his name by the biſhops[74]. He taught the Latin and Greek languages in London. He appears to have been a truly conſcientious man; and the inſinuations thrown out againſt him by Mr. Hume, of his being influenced

[73] P. 279.

[74] Vid. Fox's Acts and Monuments, vol. ii. p. 425. edit. 1641.

enced by vanity, are wholly without foundation; and aroſe only from our hiſtorian's unwillingneſs to admit, that any man could ſuffer death for his religious opinions, and be wholly actuated by motives truly virtuous and commendable. But however lax may be the ſentiments of ſome modern ſceptics, reſpecting the ſacred nature and importance of truth, I have no doubt, but that there have been many virtuous heathens, who would have ſuffered death, rather than have made an open and ſolemn profeſſion of their belief in opinions, of the falſehood of which they were well perſuaded.

Mr. Hume ſeems to have thought, that the ſituation of affairs may be ſuch, as to juſtify perſecution for religious opinions. Thus, ſpeaking of the perſecutions in Scotland in the reign of James the Fifth, and of thoſe in Germany and France, under Charles the Fifth, and Francis the Firſt, he ſays, 'the extremities to which 'all theſe princes were carried, proceeded '*entirely* from the ſituation of affairs 'during that age, which rendered it im-

'possible for them to act with greater 'temper or moderation, after they had 'embraced the resolution of supporting 'the antient establishments. So violent 'was *the propensity of the times towards in-* 'novation, that a toleration of the new 'preachers was equivalent to a formed 'design of changing the national reli- 'gion[75].'

The attempts made to enslave the French nation, and, in particular, to reduce the Protestants to submit to the will of their monarch, Mr. Hume seems to mention with much approbation. Speaking of the attempts of Richlieu for this purpose, and more immediately of the reduction of Rochelle, he says, 'This was 'the first *necessary step* towards the *prospe-* 'rity of France. Foreign enemies, as well 'as domestic factions, being deprived of 'this resource, that kingdom began now 'to shine forth in its full splendor. By 'a steady prosecution of wise plans, both 'of war and policy, it gradually gained 'an ascendant over the rival power of 'Spain;

[75] Hist. vol. iv. p. 250, edit. 1763.

Spain; and every order of the ſtate, ‘ and every ſect, were reduced to pay ‘ ſubmiſſion to the lawful authority of ‘ the ſovereign [76].’

Mr. Hume appears to have conſidered the reign of James I. as the æra of Engliſh national felicity, at leaſt with reſpect to perſons of fortune. ‘ Could human ‘ nature,’ ſays he, ‘ ever reach happineſs, ‘ the condition of the Engliſh gentry, ‘ under ſo mild and benign a prince, ‘ might merit that appellation [77].’ And now, for the firſt time, ſuch it ſeems were the public advantages of the acceſſion of the houſe of Stuart, the people became acquainted, that, as Engliſhmen, they poſſeſſed ſome privileges. ‘ In all ‘ European monarchies,’ ſays our hiſtorian, ‘ the people have privileges, but ‘ whether dependant or independant on ‘ the will of the monarch, is a queſtion, ‘ that, in moſt governments, *it is beſt to* ‘ *forbear*. Surely that queſtion was not

[76] Hiſt. vol. vi. p. 203. [77] Vol. vi. p. 112.

'termined (in England) before the age 'of James I[78].' So that, if we were to give credit to Mr. Hume, we muſt ſuppoſe, that the people of England did not know, before the reign of James the Firſt, that they held any of their privileges by any other tenure, than the pleaſure of the prince. But this is a groundleſs and indefenſible notion. And as to enjoying privileges *dependant on the will of the monarch*, this may be done in the moſt deſpotic country upon earth. The inhabitants of Ruſſia, of Turkey, of Morocco, may certainly enjoy privileges at the will and pleaſure of their princes.

In order to extenuate the conduct of king James I. in the caſe of Sir Walter Raleigh, Mr. Hume ſeems to have been much inclined to blacken the character of that celebrated perſon[79]. And his prin-

[78] In the edition of 1773, the above paſſage is in the 570th page of the ſixth volume.

[79] Vid. Hiſt. vol. vi. p. 31, 34, 35, 36, 37. edit. 1763.

principal authority for much of what he ſays upon this ſubject, is king James's "Declaration of the demeanour and carriage of Sir Walter Raleigh, knight, as well in his voyage, as in and ſithence his return; and of the true motives and inducements which occaſioned his majeſty to proceed in doing juſtice upon him, as hath been done." But notwithſtanding what our hiſtorian hath urged to make this royal publication [80] appear of "undoubted credit," it is certain, that an artful defence, publiſhed by the court, of an odious and unpopular meaſure, is not very implicitly to be relied on. Indeed, king James himſelf

[80] In the preamble to this Declaration it is ſaid, "Although Kings be not bound to give account of their actions to any but God alone; yet ſuch are his majeſty's proceedings, as he hath always been willing to bring them before ſun and moon, and carefully to ſatisfy all his good people with his intentions and courſes, giving as well to future times, as to the preſent, true and undiſguiſed declarations of them." Harleian Miſcellany, vol. iii. p. 18. It appears, that Sir Walter Raleigh was apprehenſive, that ſomewhat would be publiſhed after his death to traduce his memory: for when he was upon the ſcaffold, he particularly requeſted

himſelf has, in ſome degree, borne teſtimony to the merit of Sir Walter Raleigh, though to his own diſhonour: for ſoon after Sir Walter's execution, the king beginning to ſee that he ſhould probably be deluded by the Spaniſh miniſtry, made one of his miniſters write to his agent in Spain, to let that court know they would be looked upon as the moſt unworthy people in the world, if they did not now act with ſincerity, ſince his majeſty had given ſo many teſtimonies of his; and now of late, " by cauſing Sir Walter Raleigh to be

requeſted lord Arundel, " to deſire the king, that " no *ſcandalous writing* to defame him, might be " publiſhed at his death."

Mr. Hume ſpeaks of the king's Declaration rather ambiguouſly, and in a manner that might lead his readers to ſuppoſe, that this was ſubſcribed by ſix privy-counſellors: but the fact is, it was not ſubſcribed by any privy-counſellor. But reference is made in the Declaration to examinations taken in the preſence of ſix privy-counſellors, which examinations were ſubſcribed by them, and made uſe of in drawing up the Declaration. But the Declaration itſelf was not ſubſcribed by any of them. Vid. the edition of this, in 4to. printed by Norton and Bill, in 1618.

" be put to death, *chiefly for the giving*
" *them ſatisfaction.* F rther, to let them
" ſee how, in many actions of late, his
" majeſty had ſtrained upon the affections
" of his people, and eſpecially in this
" laſt concerning Sir Walter Raleigh,
" who died with a great deal of cou-
" rage and conſtancy. Laſtly, that he
" ſhould let them know how able a man
" Sir Walter Raleigh was, to have done
" his majeſty ſervice. Yet, *to give them*
" *content*, he hath not ſpared him, when,
" by preſerving him, *he might have given*
" *great ſatisfaction to his ſubjects*, and had
" at command, upon all occaſions, as
" uſeful a man as ſerved any prince in
" Chriſtendom [81]."

In his account of the reign of Charles the Firſt, Mr. Hume is deſirous of leading his readers to conſider the parſimony of the houſe of commons, at the commencement of this reign, as the ſource of the ſubſequent troubles. But this ſentiment,

[81] Life of Sir Walter Raleigh by Mr. Oldys, prefixed to his Hiſtory of the World, edit. 1736. p. 232, and Britiſh Biography, vol. iv, p. 71.

ſentiment, which he hath laboured ſo much to eſtabliſh, appears to be very ill grounded [82]. There is very little reaſon to believe, that Charles would have reſtrained his power within the proper limits, whatever liberality the commons might have diſplayed in granting him ſup-

[82] It is obſervable, that lord Clarendon, though a known partizan of the court, ſeems to have had different ideas upon this ſubject, and to have been leſs partial in his repreſentations in this reſpect than Mr. Hume. Speaking of the three firſt parliaments of Charles, he ſays, 'It is not to be denied, that 'there were, in all thoſe parliaments, eſpecially in 'that of the fourth year, ſeveral paſſages, and diſ-'tempered ſpeeches of particular perſons, not fit 'for the dignity and honour of thoſe places, and 'unſuitable to the reverence due to his majeſty and 'his councils. But I do not know any formed act 'of either houſe, (for neither the remonſtrance 'nor votes of the laſt day were ſuch) that was not 'agreeable to the wiſdom and juſtice of great 'courts, upon thoſe extraordinary occaſions. And 'whoever conſiders the acts of power and injuſtice 'of ſome of the miniſters, in thoſe intervals of 'parliament, will not be much ſcandalized at the 'warmth and vivacity of thoſe meetings.

'In the ſecond parliament there was a motion, 'and intention declared of granting five ſubſidies, 'a proportion (how contemptible ſoever in reſpect of

ſupplies. A deſire of extending the prerogative ever appeared to be predominant in him. And it was ſurely rational in the houſe of commons, not to be too laviſh in their grants of the public money, without endeavouring to obtain ſome redreſs of the national grievances.

N When

'of the preſſures now every day imopſed) ſcarce 'ever before heard of in parliament. And that 'meeting being, upon very unpopular and unplau-'ſible reaſons, immediately diſſolved, thoſe five 'ſubſidies were exacted, throughout the whole 'kingdom, with the ſame rigour as if, in truth, 'an act had paſſed to that purpoſe. Divers gen-'tlemen, of prime quality, in ſeveral counties in 'England, were, for refuſing to pay the ſame, 'committed to priſon, with great rigour, and ex-'traordinary circumſtances. And could it be ima-'gined, that thoſe men would meet again in a free 'convention of parliament, without a ſharp and 'ſevere expoſtulation, and inquiſition into their 'own right, and the power that had impoſed upon 'that right? And yet all theſe provocations, and 'many other, almoſt of as large an extent, pro-'duced no other reſentment than the petition of 'right (of no prejudice to the crown) which was 'likewiſe purchaſed at the price of five ſubſidies 'more, and, in a very ſhort time after that ſupply 'granted, the parliament was likewiſe, with ſtrange 'circumſtances of paſſion on all ſides, diſſolved.'
Hiſt. of the Rebellion, vol. i. p. 5. edit. 8vo. 1705.

When they found the duke of Buckingham continued to be the royal favourite in this reign, as he had been in the preceding, they had abundant reaſon to conclude, that the public grievances would be continued, and probably increaſed, if proper meaſures were not adopted for their prevention. It was certainly a juſt ground for caution and jealouſy in the houſe of commons, when they ſaw the moſt important offices of the nation, and the management of its affairs, ſtill continue to be entruſted to a weak, incapable, and headſtrong miniſter, to an arrogant and all-graſping favourite [83]. It is

[83] The following were the titles and offices of the duke of Buckingham: 'George, duke, marquis, and earl of Buckingham, earl of Coventry, viſcount Villiers, baron of Whaddon, great admiral of the kingdoms of England and Ireland, and of the principality of Wales, and of the dominions and iſlands of the ſame, of the town of Calais, and of the marches of the ſame, and of Normandy, Gaſcoigne, and Guienne, general governor of the ſeas and ſhips of the ſaid kingdom, lieutenant-general admiral, captain general and governor of his majeſty's royal fleet and army lately ſet forth, maſter of the horſe of our ſovereign Lord the King, lord warden, chancellor, and

is abſurd to maintain, that becauſe the parliament would not grant to Charles thoſe ſupplies which he had, or ſuppoſed he had, occaſion for, that therefore he was in any degree juſtified in the various arbitrary, unjuſt, and oppreſſive acts, of which he was afterwards guilty. The with-holding ſupplies till juſtice was done to the ſubject, was the true conſtitutional check upon the crown: and it is doing extreme injuſtice to the great parliamentary leaders at the commencement of Charles's reign, to attribute the ſubſequent misfortunes of the nation to their conduct on this occaſion.

Of the Petition of Right, Mr. Hume ſays, that "it may be affirmed, without "any exaggeration, that the king's af-

 "ſent

'and admiral of the Cinque Ports, and of the mem-
'bers thereof, conſtable of Dover-caſtle, juſtice in
'eyre of the foreſts and chaces on this ſide the river
'Trent, conſtable of the caſtle of Windſor, gen-
'tleman of his majeſty's bedchamber, one of his
'majeſty's moſt honourable privy council in his
'realms both of England, Scotland, and Ireland,
'and knight of the moſt honourable order of the
'garter.' Ruſhworth's Hiſtorical Collections, vol. i. p. 303.

" ſent to it produced ſuch a change in " the government, as was almoſt equi- " valent to a revolution [84]." But this muſt ſurely appear a very extraordinary aſſertion, when it is conſidered, that the privileges and liberties claimed by this petition were unqueſtionably founded on the ancient laws of the kingdom. And it is a moſt abſurd idea to ſuppoſe, that becauſe the people had occaſionally ſubmitted to unjuſt ſtretches of the prerogative, that therefore they were under any obligation to acquieſce in the attempts made to eſtabliſh a compleat deſpotiſm. It ſhould alſo be obſerved, that lord Clarendon, notwithſtanding his known partiality to Charles, acknowledges that the petition of right was *of no prejudice to the crown*. Though a great lawyer, who lived in the ſame age, a ſervant of Charles, and perſonally attached to him, he acknowledged, that the petition of right was of no injury to the crown: the very ſame act that Mr. Hume aſſerts to have " produced ſuch a change in the " government, as was almoſt equivalent " to

[84] Hiſt. vol. vi. p. 259, edit. 1773.

" to a revolution." Either, therefore, lord Clarendon had no ideas of the nature of the Engliſh government in his own time, or theſe notions of Mr. Hume are the mere reveries of a ſportive imagination.

Our hiſtorian frequently takes pleaſure in repreſenting, in a ridiculous or unfavourable light, the moſt reſpectable of the parliamentary leaders. Thus he mentions the celebrated John Hampden as one of thoſe, " who had reſolved for " ever to abandon their native country, " and fly to the other extremity of the " globe, where they might *enjoy lectures* " *and diſcourſes of any length or form which* " *pleaſed them* [85]." Upon this it is ſufficient to remark, that though Hampden had probably much more religion, yet he appears to have been as little of an enthuſiaſt as David Hume himſelf [86].

Our

[85] Vol. vi. p. 311. In another place he ſays, that the whole diſcourſe and language of Pym, Hampden, and Vane, were " full of the loweſt and moſt " vulgar hypocriſy." P. 325. edit. 1763.

[86] In the laſt edition of his hiſtory, that of 1778, which was not publiſhed till a conſiderable part of theſe

OUR author, ſpeaking of the year 1640, ſays, that "*noiſe and fury, cant and* "*hypocriſy*, formed the ſole *rhetoric*, "which, during this tumult of various "prejudices and paſſions, could be at-"tended to[87]." That many of the per-for-

theſe obſervations was printed off, Mr. Hume has added the following remark relative to his notion of Mr. Hampden's being tinctured with enthuſiaſm. He ſays, that Hampden's "intended migration to "America, where he could only propoſe the ad-"vantage of enjoying puritanical prayers and ſer-"mons, will be allowed a proof of the prevalence "of this ſpirit (the enthuſiaſtical) in him." Vol. vi. p. 587. But ſurely, when meaſures were carrying on in this country to eſtabliſh deſpotiſm both in church and ſtate, there can be no juſt reaſon for conſidering Hampden as an enthuſiaſt, merely becauſe he had formed a deſign to go into America, in hopes of enjoying there the bleſſings of civil and religious liberty. Or if this muſt be conſidered as enthuſiaſm, it is of that kind which has animated ſome of the nobleſt of the human race, both in ancient and in modern times. However contemptuouſly an ardent love of liberty may be treated by a Hume, it was this which greatly contributed to ennoble much ſuperior characters, not only a HAMPDEN, but a LOCKE and a SYDNEY, a SELDEN and a MILTON.

[87] P. 314.

formances of this period were violent and enthuſiaſtical, may be readily admitted; but that *noiſe*, *fury*, *cant*, and *hypocriſy*, conſtituted the *ſole rhetoric* which the people attended to at that time, is known not to be a truth, by every man who is accurately acquainted with the publications and ſpeeches of this period. The terms in which Mr. Hume has expreſſed himſelf on this occaſion, are the language of a mere party writer, and not of an impartial hiſtorian.

He has alſo ſaid of the houſe of commons, in 1642, "that they were reſolved, "if poſſible, to excite the king to ſome "violent paſſion; in hopes that he "would commit indiſcretions, of which "they might make advantage[88]." But this appears to be a very unwarrantable method of writing hiſtory. It is imputing the moſt unworthy motives to the great parliamentary leaders, without producing the leaſt evidence in ſupport of what is advanced.

Ex-

[88] Vol. vi. p. 401. edit. 1763.

EXTREME partiality is alſo manifeſted by Mr. Hume, in his repreſentation of the character, conduct, and trial, of the earl of Strafford. He ſays, "Such was "the capacity, genius, preſence of mind, "diſplayed by this magnanimous ſtateſ- "man, that, while argument and reaſon "and law had any place, he obtained an "undiſputed victory. And he periſhed, "at laſt, overwhelmed, and ſtill unſub- "dued, by the *open violence* of his *fierce* "and *unrelenting* antagoniſts [89]."

OUR hiſtorian had before obſerved, that Strafford was "ſenſible of the load "of popular prejudices under which he "laboured [90]." That the people of England, Scotland, and Ireland, were extremely incenſed againſt this nobleman, is very true; but there is no occaſion to impute this to *prejudice* of any kind. It was the natural reſult of his conduct, which had been arbitrary, oppreſſive, and unconſtitutional, and calculated to excite univerſal indignation.

BUT

[89] *Ibid.* p. 335. [90] P. 304.

BUT Mr. Hume ſays, that "though "four months were employed by the "managers in framing the accuſation, "and all Strafford's anſwers were ex-"temporary; it appears from compariſon "not only that he was free from the "crime of treaſon, of which there is not "the leaſt appearance, but that his con-"duct, making allowance for human "infirmities, expoſed to ſuch ſevere ſcru-"tiny, was INNOCENT, and even LAUD-"ABLE [91]."

WHETHER the conduct of Strafford was either *innocent* or *laudable*, may be beſt determined by a view of ſome of the facts that were proved againſt him upon his trial: and which may, perhaps, be ſufficient to convince every unprejudiced reader, that his fate is not greatly to be deplored; unleſs by thoſe who are of opinion, that men who act under the authority of kings, and, by their command, may be juſtified in the commiſſion of the moſt atrocious crimes.

[91] P. 335, 336.

It was proved againſt him, that he had acted in a very arbitrary and illegal manner, as lord preſident of the court and council of the North[92]. As lord lieute-

[92] Vid. the account of lord Strafford's trial in Ruſhworth's Hiſtorical Collections, vol iv. p. 140, 141, 142, 144.

The court and council of the North, (or, as it was often called, the court and council of York) was firſt erected, after ſome inſurrections, by a patent from king Henry VIII. without any authority from parliament. Its power had been extended by degrees, but was never ſo great as it was after Wentworth was made preſident, king Charles having thought proper to inveſt him and the council with extraordinary diſcretionary powers. It was afterwards complained of by the people in the North, as an intolerable grievance; and Mr. Hyde, afterwards earl of Clarendon, was appointed, by the houſe of commons in 1641, to repreſent to the houſe of peers the pernicious conſequences of this court. In his ſpeech on this occaſion, which is ſtill extant, Mr. Hyde ſtiles this court "a great and crying grievance; which, though (ſays he) it be complained of in the preſent preſſures but by the northern parts, yet, by the logic and conſequences of it, it is the grievance of the whole kingdom." He alſo ſays, that it had "almoſt overwhelmed that country under the ſea of arbitrary power, and involved the people in a labyrinth of diſtemper, oppreſſion, and poverty." He likewiſe obſerves, that

lieutenant of Ireland, he had alſo acted in a ſtill more deſpotic manner, and

that after Wentworth was made preſident, new clauſes were added to the commiſſion, which "crowded in a maſs of new, exorbitant, and in-"tolerable power." He proceeds, "What hath "the good northern people done, that they only "muſt be diſfranchiſed of all their privileges by "Magna Charta, and the petition of right; for to "what purpoſe ſerve theſe ſtatutes, if they may "be fined and impriſoned without law, according "to the diſcretion of the commiſſioners? What "have they done, that they, and they alone, of all "the people of this happy iſland, muſt be diſinhe-"rited of their birth-right, of their inheritance?" "—"Truly, my lords, theſe vexed worn-out "people of the North are not ſuitors to your lord-"ſhips to regulate this court, or to reform the "judges of it, but for extirpating theſe judges, "and the utter aboliſhing this court." [Vid. this ſpeech of Hyde at length, in Speeches and paſſages of the parliament of 1641, edit. 4to. 1641, p. 409, 416.] Mr. Guthrie obſerves, (Hiſt. Eng. vol. iii. p. 916.) that had Strafford "been guilty of no other "demerit, he deſerved to loſe his head, for accept-"ing what no king of England can give, and no "free-born ſubject ought to execute; I mean a "commiſſion, that, in effect, ſet aſide the laws of "the land, and left no other viſible tenure of juſ-"tice, than the wills of men, always fallible, and "often corrupted, influenced by ſentiments of

"grati-

treated perſons of the beſt quality in Ireland with the utmoſt arrogance, inſolence, and injuſtice. The earl of Corke depoſed, that when he had commenced a ſuit at law in a caſe in which he apprehended himſelf to be aggrieved, the earl of Strafford, in the moſt arbitrary manner, forbad his proſecuting his ſuit, ſaying to him, "Call in your writs, or if "you will not, I will clap you in the "caſtle; for I tell you, I will not have "my orders diſputed by law, nor lawyers [93]." Lord Corke alſo farther depoſed, that he being proſecuted in the Star-chamber, for having made a leaſe of a parſonage, contrary to an act of ſtate made in king James's reign; and there-

"gratitude, fear, or expectancy towards the crown; "reſentments of hatred, envy, and malevolence "againſt the ſubject." Vid. Britiſh Biography, vol. iv. p. 388, 389.

[93] Trial of Strafford, as publiſhed in Ruſhworth, p. 175. It ſhould be obſerved, that the account of this memorable trial printed in Ruſhworth, is much more copious and accurate than that in the State Trials; in which the ſpeeches of Pym, Maynard, Glyn, &c. are wretchedly mutilated; and many other important particulars wholly omitted.

thereupon repreſenting to lord Strafford, that it was merely an act of charity, and that he was not apprized of any ſuch act of ſtate, and intimating that he thought he could not legally be proſecuted for violating an obſolete act of ſtate, lord Strafford anſwered, "I tell "you, my lord, as great as you are, I "will make you, and all the ſubjects of "Ireland know, that any act of ſtate "made, or to be made, ſhall be as bind-"ing to you, and the ſubjects of Ire-"land, during my government, as an "act of parliament [94]."

Sir Pierce Croſby depoſed, that ſoon after Strafford came to Ireland, being at dinner in the deponent's houſe, with ſeveral others of the privy-council, he took occaſion to ſay, that "if he, the earl of "Strafford, lived, he would make an act "of ſtate to be of equal power with an "act of parliament;" and added, that "Ireland was a conquered nation, and "the conqueror ſhould give the law."

John

[94] Ruſhworth, p. 176.

JOHN Waldron depoſed, that in a cauſe between the merchants of Galloway and others, concerning a church leaſe, at the council-table, Mr. Martin, who acted as council for the merchants, mentioning an act of parliament, which, he ſaid, made for his client, Strafford ſaid, "He would make him know, that "an act of that board ſhould be as "good as a ſtatute:" or to that purpoſe. Lord Killmallock, and John Kay, alſo depoſed to the ſame effect.

MR. Lotts depoſed, that the commons having rejected ſome bills, particularly one which made it felony for a private perſon to have gunpowder, without a licence; and being ſent for up to the houſe of lords, Strafford told them, that "notwithſtanding they had voted againſt "it, yet he would make that, and ſome "other bills they had voted againſt, acts "of ſtate, that ſhould be as good [95]."

IT was alſo proved, that, by Strafford's influence, lord Mountnorris was ſentenced

[95] Ruſhworth, p. 184.

tenced to be ſhot to death, for making uſe of an expreſſion that the lord lieutenant diſliked, and which, it was pretended, had a mutinous meaning; and, in his defence, Strafford ſpoke of this infamous ſentence as "being only intended to diſcipline lord Mountnorris, and to teach him to govern his ſpeech with more modeſty [96]." It appears alſo, that lord Mountnorris was, for a conſiderable time, impriſoned, and deprived of an eſtate, though on other pretences.

ROBERT Kennedy depoſed, that on the 30th of September, 1633, he was the king's remembrancer in Ireland, and that day the new mayor of Dublin was preſented to lord Strafford; and the recorder made a ſpeech on the occaſion, reciting the many graces they had received from the kings of England, and among the reſt, a charter that no ſoldier ſhould be billetted on the city of Dublin. That the lord lieutenant anſwered ſeveral paſſages in the ſpeech; and particularly ſaid, "That they were a con-

[96] Ruſhworth, p. 200.

" a conquered nation, and the king " might do with them as he pleaſed: " and for their antiquated charters, they " were binding no farther than he " pleaſed." The earl of Corke alſo gave evidence to the ſame purpoſe.

ARCHBISHOP Uſher being ill, his examination was read, in which that prelate declared, that diſcourſing with the earl of Strafford in Ireland, concerning ſome levies of money made upon the ſubject, Strafford ſaid, that " he agreed " with thoſe in England, who thought " that, in caſe of imminent neceſſity, " the king might make uſe of his pre- " rogative to levy what he needed." But added, that, " in his opinion, his ma- " jeſty was firſt to try his parliament, " and if they ſupplied him not, then " he might make uſe of his prerogative " as he pleaſed himſelf;" or words to that effect.

THE earl of Briſtol depoſed, that diſcourſing with lord Strafford of the diſtractions of the times, after the breaking

up

up of the laſt parliament, and the deponent propoſing the ſummoning a new parliament as the beſt means to compoſe matters; lord Strafford did not diſlike the propoſal, but ſaid it was not adviſeable at that time; for that the preſent dangers of the kingdom were ſo preſſing, they could not "admit of ſo *ſlow* and "*uncertain* a remedy as a parliament "was." That the parliament had, in the great diſtreſs of the king and kingdom, refuſed to ſupply the king in the ordinary and uſual way of ſubſidies: "and, therefore, the king muſt provide "for the ſafety of his kingdom, by ſuch "ways he ſhould think fit in his wiſdom." And farther, "That the king was not "to ſuffer himſelf to be maſtered by the "frowardneſs and undutifulneſs of his "people."

THOMAS WISEMAN depoſed, that the lord-mayor and aldermen of London being called before the council for not levying the ſhip-money, Strafford ſaid, "They would never do their duties "well, till they were put to fine and

" ranſom;" and that he alſo ſaid, " You " will have no good of this man, " (meaning the lord-mayor, as he ſup- " poſed,) till he is laid by the heels."

Sir Henry Garraway, the lord-mayor, depoſed, that having been obliged to attend the privy-council on account of the affair of ſhip-money, and having ſet forth the difficulties of levying ſhip-money before his majeſty and council, it was ill taken; and lord Strafford ſaid to the king, " Sir, you will never do " good on this man till you have made " him an example; he is too diffident: " unleſs you commit him, you ſhall do " no good upon him." That being alſo ſummoned with the aldermen before his majeſty and the council, about a loan, and being deſired to give in liſts of thoſe that were able to lend in their ſeveral wards, they refuſed; whereupon Strafford burſt out into theſe words: " Sir, " you will never do good to theſe citizens " of London, till you have made exam- " ples of ſome of the aldermen: unleſs

" you

" you hang up ſome of them, you will " do no good upon them[97]."

STRAFFORD was alſo accuſed by the commons with having cited jurymen to appear in the Iriſh Star-chamber, where pains and penalties were inflicted on them for their verdicts. He admitted the charge, and contented himſelf with vindicating or extenuating what he had done[98]. It was likewiſe proved, in the courſe of the evidence againſt him, that in Ireland he had impriſoned and fined men by the authority of himſelf and the council only; that he had levied taxes on goods without any parliamentary authority; that he had arbitrarily cauſed the goods of perſons to be ſeized, who had refuſed to obey his commands, though thoſe commands were unwarrantable, and altogether unſupported by any law; and that he cauſed ſoldiers to be quartered on private perſons, if they did not obey his orders.

[97] Vid. Ruſhworth, p. 584, 585.

[98] Ruſhworth, p. 125.

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[97] Vid. Ruſhworth, p. 584, 585.

[98] Ruſhworth, p. 125.

UPON the whole, it is unqueſtionably certain, that the conduct of Strafford was ſo far from being either *innocent* or *laudable*, that it was in a very high degree criminal, and that he was a juſt object of national indignation, and of public proſecution. As lord preſident of the North, as lord lieutenant of Ireland, and as a privy-counſellor in England, he had laboured to trample on the rights of the people, and had been guilty of acts of great injuſtice and oppreſſion. That he defended himſelf with great eloquence and addreſs, and that he applied, with great art, to the paſſions of his auditors, is very true; but all this proves nothing as to his general innocence of the charges that were brought againſt him: and there is ſurely little reaſon for the aſſertion of Mr. Hume, that "though "his death was loudly demanded as a "ſatisfaction to juſtice, and an atonement "for the many violations of the conſti-"tution; it may ſafely be affirmed, that "the ſentence, by which he fell, was "an enormity greater than the worſt of "thoſe which his implacable enemies

"pro-

"proſecuted with ſo much cruel in-
"duſtry [99]."

WHETHER all the proceedings againſt Strafford, and his final ſentence, were in every reſpect ſtrictly legal, I ſhall not take upon me to determine. The law, perhaps, may not have made the ſame proviſion for bringing iniquitous miniſters of ſtate to juſtice, that it has for inferior criminals. But however this be, it is certain, that Strafford did not fall undeſervedly; and that there is very little reaſon for thoſe pathetic lamentations that are thrown out upon this ſubject by Mr. Hume. If Strafford had not been guilty of treaſon againſt the perſon of Charles, he had been guilty of treaſon againſt the rights of the people: and if this be a ſpecies of treaſon not yet to be found in our ſtatute-books, it is high time that it ſhould find a place there. Of all public crimes, attempts to ſubvert the rights of the people, and to overturn a free conſtitution, are the greateſt, and ought to be the moſt ſeverely puniſhed.

The

[99] Vol. vi. p. 354. edit. 1763.

The idea that the perſonal ſecurity of the king is of more conſequence, than the preſervation of the rights and privileges of a whole nation, can ariſe only from the moſt contemptible ſervility.

Mr. Hume ſays, that "even a few "weeks after Strafford's execution, this "very parliament remitted to his chil- "dren the more ſevere conſequences of "his ſentence; as if conſcious of the "violence with which the proſecution "had been conducted [100]." But no ſuch conſciouſneſs can juſtly be conſidered as implied in this. Nothing more can fairly be inferred from it, than that the parliament had too much magnanimity and generoſity, to deſire that the children of Strafford ſhould ſuffer for the crimes of their father.

Of the political maxims which Strafford recommended to Charles, and the advice which he gave him, ſome idea may be formed from ſuch of his diſpatches as have been publiſhed. In one of theſe, addreſſed

[100] P. 335.

addreſſed to the king, concerning the calling a parliament in the kingdom of Ireland, after mentioning the obligations which an Iriſh parliament would be under to grant the king ſupplies, he ſays, " Should they not conform them-" ſelves to your gracious will, their un-" thankfulneſs to God, and the beſt of " kings, becomes inexcuſable before all " the world, and the regal power more " warrantably to be at after extended for " redeeming and recovering your ma-" jeſty's revenues thus loſt, and juſtly to " puniſh ſo great a forfeit as this muſt " needs be judged to be in them [101]." In the ſame diſpatch are alſo the following paſſages: " Conditions are not to be ad-" mitted with any ſubjects, leſs with " this people, where your majeſty's ab-" ſolute ſovereignty goes much higher " than it is taken, *perhaps*, to do in Eng-" land [102]."

It appears alſo from the ſame diſpatch, that Strafford was ſufficiently ſkilled

[101] Earl of Strafford's letters and diſpatches, publiſhed by Dr. Knowler, folio, 1739, vol. i. p. 183. [102] *Ibid.* p. 184.

ſkilled, for that age, in the modelling and managing of parliaments. "I ſhall endeavour," ſays he, "the lower houſe "may be ſo compoſed, as that neither "the recuſants, nor yet the proteſtants, "ſhall appear conſiderably more one "than the other, holding them, as much "as may be, upon an equal balance; "for they will prove thus eaſier to govern, than if either party were abſolute."—"I will labour to make as "many captains and officers burgeſſes, "as poſſible I can, who, having immediate dependance upon the crown, "may almoſt ſway the buſineſs betwixt "the two parties, which way they "pleaſe."—"In the higher houſe, your "majeſty will have, I truſt, the biſhops "wholly for you [103]."

In another of his letters, he recommends it to the king, to be ready to give ſeaſonable *rewards* to the *judges* for occaſional ſervices; and afterwards adds, "I am moſt confident, were your ma"jeſty purpoſed but for a while to uſe "the

[103] Ibid. p. 187.

" the excellent wiſdom God hath given
" you in the conſtant, right, and quick
" applying of *rewards* and *puniſhments*,
" it were a thing moſt eaſy for your ſer-
" vants, in a very few years, under your
" conduct and protection, ſo to ſettle
" all your affairs and dominions, as
" ſhould render you, not only at *home*,
" but abroad alſo, the moſt *powerful*
" and conſiderable king in Chriſten-
" dom [104]."

It appears, from ſeveral of his letters, that he was very ſolicitous to promote the impoſition of *ſhip-money* both in England and in Ireland; and in one of his diſpatches he ſays, " It is plain, indeed,
" that the opinion delivered by the
" judges, declaring the *lawfulneſs* of the
" aſſignment for the ſhipping, is the
" *greateſt ſervice* [105] that profeſſion hath

 done

[104] Strafford's letters and diſpatches, vol. ii. p. 41.

[105] This was probably one of that kind of ſervices for which Strafford thought it would be proper to

" done the *crown* in my time. But un-
" leſs his majeſty hath the *like power* de-
" clared to raiſe a *land army* upon the
" ſame exigent of ſtate, the crown ſeems
" to me to ſtand but upon one leg *at*
" *home*, to be conſiderable but by halves
" to foreign princes abroad [106]." And Strafford was certainly in the right, that it would have been an improvement of Charles's regal power, if the judges, by proper douceurs and encouragements, could have been prevailed upon to inveſt him with an authority to raiſe money for both fleets and armies, without the concurrence of parliament.

In the ſame diſpatch, he ſpeaks of " vindicating the royalty at home from " under the conditions and reſtraints of " ſubjects;" and obſerves, that an army raiſed by the king's prerogative, would " inſenſibly gain a precedent, and ſettle " an authority and right in the crown " to

to *reward* the *judges*: and it is certainly not reaſonable to expect, that men ſhould violate their conſciences for nothing.

[106] Ibid. p. 61.

" to levies of that nature, which thread " draws after it many huge and great " advantages, more proper to be thought " on at ſome other ſeaſons than now." He adds, " By this time his majeſty will " find, how little I look upon my own " *ſafety*, where his greatneſs and proſpe- " rity come in place [107]."

In one of his letters to Charles, Strafford ſpeaks of himſelf as being " re- " ported to all the world rather for a " Baſha of Buda, than the miniſter of a " pious and Chriſtian king [108]." In another he ſays, " Sir, my faith enforceth " me, with all humility, to inform your " majeſty, that the liberty of ſuch as " mutiny the hierarchy, and would, I " fear, in the next place, do as much " for monarchy itſelf, increaſeth very " much: (a gradation which that wiſe " and excellent king, your bleſſed fa- " ther, had found, by experience, in the " beginnings of his reign in Scotland) " and worthy it will be of your ma- " jeſty's wiſdom and providence, that we

 " have

[107] Ibid. p. 62. [108] Vol. ii. p. 27.

" have your direction how to carry our-
" ſelves. With longing we wait for it:
" and were it left to us, ſhould not fail
" to give all ſuch in this kingdom cur-
" rent and ſound payment[109]." And in another of his diſpatches he ſays, " I
" underſtand that party (the Scotch) is
" much blown up with their expecta-
" tions of help from their countrymen on
" this ſide, and ſure ſuch an aſſimilation
" of humours there is amongſt them, as
" the conjecture is probable enough; yet,
" Sir, be you pleaſed to reſtore us but
" theſe five hundred men you borrow
" from this army, and I durſt, with the
" peril of my life, be anſwerable to con-
" tain all here in quietneſs: but then I
" muſt have preſent and *full authority* to
" take every little inclination in the firſt
" appearance of it, *and to cruſh the ſer-*
" *pent in the egg*[110]."

It is evident, from the letters of Straf-ford, as well as from what was proved againſt him at his trial, that he was a moſt dangerous and arbitrary miniſter; that

[109] Ibid. p. 229. [110] Ibid. p. 235.

that he violated himſelf every principle of law and of a free conſtitution; that he gave the moſt pernicious advice to the king; and that he well deſerved the fate he met with.

Of archbiſhop Laud, Mr. Hume ſays, that "the maxims of his adminiſtration were the ſame which had *ever prevailed* in England[111]." Without particularly animadverting upon this, it may be ſufficient to remark, that our hiſtorian's apology for this prelate, has in it much more of art and ſophiſtry, than of ſound argument and ſolidity. But even the unjuſt and barbarous ſentences paſſed in the court of Star-chamber, though Mr. Hume does not formally defend them, yet he ſpeaks of them in very gentle terms. "The ſeverity of the Star-cham-"ber," he ſays, "which was generally "aſcribed to Laud's paſſionate diſpoſi-"ſition, was, *perhaps*, in itſelf SOME-"WHAT BLAMEABLE."

From the letters of Laud to Strafford, it appears, that the views and inclina-"tions

[111] Vol. vii. p. 41.

tions of the archbiſhop agreed extremely well with thoſe of the lord-lieutenant: and that they were both equally diſguſted with the reſtraints of law. In one of Laud's letters he ſays, "I muſt "deſire your lordſhip not to expect more "at my hands than I ſhall be able to "perform, either in church or ſtate; "and this ſuit of mine hath a great deal "of reaſon in it; for you write, that or-"dinary things are far beneath that "which you cannot chuſe but promiſe "yourſelf of me in both reſpects. But, "my lord, to ſpeak freely, you may eaſily "promiſe more in either kind, than I "can perform: for, as for the *church*, "it is ſo bound up in the forms of the "common law, that it is not poſſible "for me, or for any man, to do that "good which he would, or is bound to "do. For your lordſhip ſees, no man "clearer, that they which have gotten ſo "much power in, and over the church, "will not let go their hold; they have, "indeed, fangs with a witneſs, whatſo-"ever I was once ſaid in paſſion to have. "And for the *ſtate*, indeed, my lord, I

"am

" am for *thorough*, but I ſee that *both* " *thick and thin* ſtays ſomebody, where I " conceive it ſhould not; and it is im- " poſſible for me to go *thorough* alone [112]."

In another letter to Strafford the archbiſhop ſays, " I have received the copy " of the ſentence againſt Paterſon, and " am verily of your lordſhip's mind, that " a little more quickneſs in the govern- " ment would cure this itch of libelling, " and ſomething that is amiſs beſides, " but you know what I have written, " and truly I have done expecting of " *thorough* on this ſide, and therefore " ſhall betake myſelf to that which you " ſay, and, I believe, is the next beſt; " and yet I would not give over neither. " As for Challenour, it was the weakeſt " part that ever Mr. ſecretary Coke did, " to leave him in the hands of a meſſen- " ger, and not commit him to a very " ſafe priſon. But what can you think " of *thorough*, where there ſhall be ſuch " ſlips in buſineſs of conſequence? But " what ſay you to it, that Prynne and " his

[112] Strafford's letters and diſpatches, vol. i. p. 111.

" his fellows ſhould be ſuffered to talk
" what they pleaſed while they ſtood in
" the pillory, and with acclamations
" from the people, and have notes taken
" of what they ſpake, and theſe notes
" ſpread in written copies about the
" city, and that when they went out of
" town to their ſeveral impriſonments,
" there were thouſands ſuffered to be
" upon the way to take their leave, and
" God knows what elſe [113]."

In another letter he ſays, " Your lord-
" ſhip apprehends right *the ill conſequences*
" *of the liberty of theſe times*, both in
" ſpeech and otherwiſe, and that Prynne
" is not the firſt that hath done miſ-
" chief in this kind; nor do I think he
" will be the laſt; nor have I any great
" hope to ſee theſe things ſettle, nor
" other things as conſiderable as theſe,
" till reward and puniſhment [114] *have*
" *their*

[113] Strafford's letters and diſpatches, vol. ii. p. 99.

[114] From hence it appears, that the ſeverity with which Prynne was treated, was not ſufficient in the good archbiſhop's opinion. He was ſentenced to have his book againſt plays, maſquerades, &c. burnt by the hands of the common hangman, to be removed

"*their full courſe*, and attend merit, not "perſons [115]."

Mr. Hume's account of the reign of king Charles I. may be conſidered rather as a ſpecious and artful apology for that prince's conduct, than a juſt hiſtory. In ſome reſpects, it is more partial than the celebrated hiſtory of lord Clarendon, though that nobleman was an avowed partizan of Charles. But this ſeems to have been neceſſary, in order to enable Mr. Hume to ſupport his favourite hypotheſis. And with reſpect to lord Clarendon, it appears to have been a ſentiment never entertained by him, that the government of England was little better

removed from the bar, and to be for ever rendered incapable of his profeſſion, to ſtand twice in the pillory, to loſe his ears, to pay a fine of 5000l. and to ſuffer perpetual impriſonment. But all this was not enough. He was *permitted to ſpeak in the pillory*; and this gave the archbiſhop great uneaſineſs. This evil was, however, in ſome degree prevented, in the caſe of John Lilburne; for he was gagged in the pillory, by order of the court of Star-chamber; of which Laud was one of the principal members.

[115] Strafford's letters and diſpatches, vol. ii. p. 131.

than deſpotic [116] at the acceſſion of the houſe of Stuart. This was a diſcovery for which we are indebted to the acuteneſs of more modern writers.

CHARLES's arbitrary adminiſtration of government for eleven years, without the intervention of one parliament, was certainly ſufficient to exaſperate the people, and a natural ſource of the civil war that followed. It is to his tyranny, and to his obſtinacy, that the national calamities are juſtly to be attributed, notwithſtanding all the ſpecious gloſſes, and artful repreſentations of Mr. Hume.

OUR hiſtorian ſays of Charles, that "had the limitations on prerogative been, "in his time, quite fixed and certain, "his integrity had made him regard, as "ſacred, the boundaries of the conſtitu-"tion." But this aſſertion will appear totally groundleſs, if we conſider, that his adminiſtration of government, for a ſeries of years, was little better than one con-

[116] Mr. Hume ſtiles the Engliſh government *a monarchy almoſt abſolute.* Vol. vi. p. 512. edit. 1763.

continued violation of the Petition of right, which he had himſelf ſolemnly paſſed into a law. This is a demonſtration, that however exactly the conſtitution might have been aſcertained, the integrity of Charles would never have afforded a ſecurity to his ſubjects. If we could ſuppoſe him to have been totally ignorant of Magna Charta, and of every law made to reſtrain his predeceſſors from invading the rights of the people, or that he imagined thoſe laws not binding upon him, we cannot ſuppoſe him ignorant of the petition of right, which he had bound himſelf to adhere to in the moſt explicit manner. And yet, for a ſeries of years, he continued to trample on the rights of his ſubjects in the moſt wanton manner, and in direct violation of this ſtatute. To ſuppoſe, that this can be defended on any ſolid principles, or that ſuch a conduct was conſiſtent with integrity, is to ſuppoſe, that the moſt ſolemn engagements which can be entered into amongſt men, are not binding on the parties; and that the humour of princes, or political expediency, may

juſtify the greateſt enormities. It is, indeed, not unworthy of obſervation, that in the very ſame page in which Mr. Hume ſpeaks of the *virtuous and gentle temper of Charles*, he alſo gives it as his opinion, that it is not improbable, if he had been poſſeſſed of a ſufficient military force, he would have enſlaved his ſubjects [117]. So that ſuch a conduct, according to Mr. Hume's ideas, would have been perfectly conſiſtent with a *virtuous and gentle temper*.

Our hiſtorian, though he was certainly not fond of giving very favourable repreſentations of the efficacy of piety, yet finds it productive of the beſt effects in the caſe of king Charles I. "While every thing around him," ſays he, "bore a hoſtile aſpect; while friends, "family, relations, whom he paſſion-"ately loved, were placed at a diſtance, "and unable to ſerve him; he repoſed "himſelf with confidence in the arms "of that Being, who penetrates and ſuſ-"tains all nature, and whoſe ſeverities, "if

[117] Vid. Hiſt. vol. vi. p. 161.

" if received with piety and reſignation,
" he regarded as the ſureſt pledge of un-
" exhauſted favour [118]." It may, how-
ever, very reaſonably be queſtioned, whe-
ther a prince, who had involved his ſub-
jects in all the horrors of civil war,
merely to ſupport his own unjuſt and
tyrannical claims, could have any juſt
grounds for confiding in the favour of
the Almighty.

In ſpeaking of the extravagant notions and practices which prevailed in England after the execution of king Charles I. Mr. Hume ſays, that " it became a pretty " *common doctrine* at that time, that it " was unworthy of a Chriſtian man to " pay rent to his fellow-creatures; and " landlords were obliged to uſe all the " penalties of law againſt their tenants, " whoſe conſcience was ſcrupulous [119]." So extraordinary an aſſertion as this certainly deſerved ſome evidence to ſup-
port

[118] Vol. vi. p. 118.

[119] Vol. vii. p. 173, edit. 1763. In the edition of 1778, this paſſage is in p. 528 of the ſame volume.

port it, but with this we are not favoured; and, indeed, that ſuch a doctrine ſhould ever have become *pretty common*, is too incredible to be believed.

Our hiſtorian's repreſentation of the propenſity of the people of England, at this period, to form new ſyſtems of government and religion, is certainly much more ludicrous than juſt. "*Every man*," he ſays, "had framed the model of a "republic; and, however new it was or "fantaſtical, he was eager in recom-"mending it to his fellow-citizens, or "even impoſing it by force upon them. "*Every man* had adjuſted a ſyſtem of "religion, which, being derived from no "traditional authority, *was peculiar to* "*himſelf*; and being founded on ſuppo-"ſed inſpiration, not on any principles "of human reaſon, had no means, be-"ſides cant and low rhetoric, by which "it could recommend itſelf to others [120]." He alſo ſpeaks of the more moderate republicans, as being "ſo intoxicated "with their *ſaintly character*, that they "ſup-

[120] Hiſt. vol. vii. p. 155. edit. 1778.

" ſuppoſed themſelves poſſeſſed of pecu-
" liar privileges; and *all profeſſions, oaths,*
" *laws*, and *engagements* had, (he ſays)
" in a great meaſure, loſt their influence
" over them [121]." An author, who takes ſuch liberties as theſe, may draw amuſing pictures, but he ſurely cannot juſtly be conſidered as writing hiſtory.

Mr. Hume, in a great degree, attributes the civil war, and the calamities which attended it, to the irregularities of the Engliſh conſtitution of government; and to the prerogative of the king, and the privileges of the people, not being exactly aſcertained. And yet, with much inconſiſtency, he ſpeaks with approbation of Charles II. being reſtored, without any conditions, or new limitations. " Had the parliament," ſays he, " before
" reſtoring the king, inſiſted on any far-
" ther limitations than thoſe which the
" conſtitution already impoſed; beſides
" the danger of reviving former quar-
" rels among parties; it would ſeem
" that their caution had been *entirely*
" *ſuper-*

[121] P. 156.

"*ſuperfluous* [122]." What he urges in ſupport of this opinion is, that, "by reaſon "of its ſlender and precarious revenue, "the crown in effect was *ſtill* totally de-"pendant." But as this had been the caſe before the civil war, and was not then ſufficient to prevent regal tyranny, and the conſequent national commotions, it was certainly not a ſufficient ſecurity to the people after the Reſtoration. When the nation had been ſo long ſtruggling againſt tyranny, and the power was in their own hands, it was manifeſtly in the higheſt degree irrational, to inveſt the ſon of the late king with regal dignity, without ſtipulating proper conditions for the future ſecurity of the liberties of the people.

THE conduct of Charles II. in the caſes of Ruſſel and Sydney, was too groſs to be defended; and, therefore, Mr. Hume does not attempt this: but he endeavours to leſſen our ideas of the criminality of thoſe tranſactions, and to palliate, as much as poſſible, the behaviour of

[122] Vol. vii. p. 355, edit. 1778.

of the king. In the latter caſe, that of Algernon Sydney, after giving a ſketch of his character and conduct, our hiſtorian ſays, " it may eaſily be conceived " how obnoxious he was become to the " court and miniſtry: what alone ren- " ders them inexcuſeable, was the illegal " method which they took of effecting " their purpoſe againſt him[123]." And yet, after having thus admitted that illegal methods were adopted by the court to bring Sydney to the ſcaffold, he endeavours to throw the guilt of the tranſaction chiefly on the jury. " The evi- " dence againſt him, it muſt be confeſ- " ſed, was not legal; and the jury who " condemned him, were, for that reaſon, " very blameable. But that after ſen- " tence paſſed by a court of judicature, " the *king* ſhould interpoſe and pardon a " man, who, though otherwiſe poſſeſſed of " great merit, was *undoubtedly guilty*[124], who

 " had

[123] Vol. viii. p. 192.

[124] Sydney was *undoubtedly guilty* of a ſtrong attachment to the liberties of his country, and an incurable averſion to every ſpecies of deſpotic government.

" had ever been a moſt inflexible and in-
" veterate enemy to the royal family,
" and who lately had even abuſed the
" king's clemency, might be an act of
" *heroic generoſity*, but can never be re-
" garded as a neceſſary and indiſpenſible
" duty [125]."

Our hiſtorian ſays, that " Charles II.
" in 1672, may with reaſon be deemed
" the aggreſſor, nor is it poſſible to juſ-
" tify his conduct [126]:" and yet he immediately urges all he can in extenuation of it. And he was ſo deſirous to apologize for the conduct of the Stuarts, that though it is certain that Charles II. had formed ſchemes to enſlave his ſubjects, and engaged in intrigues with France of ſuch a nature, that they muſt for ever render his memory infamous, and of which there is the moſt unqueſtionable evidence; yet our hiſtorian ſays, that all the enormities of his government, " if fairly and candidly examined,
" may be imputed, in a great meaſure,
" to the *indolence of his temper*; a fault,
" which,

[125] P. 193. [126] Vol. viii. p. 321, edit. 1778.

" which, however unfortunate in a mo-
" narch, it is impoſſible for us to regard
" with great ſeverity [127]."

Mr. Hume labours to place, in a very unfavourable light, the conduct of lord Churchill, afterwards duke of Marlborough, at the Revolution: " Lord " Churchill," ſays he, " had been raiſed " from the rank of a page, and had been " inveſted with a high command in the " army; had been created a peer, and " had owed his whole fortune to the " king's bounty: yet even this perſon " could reſolve, during the preſent ex-" tremity, to deſert his unhappy maſter, " who had ever repoſed entire confidence " in him. He carried with him the " duke of Grafton, natural ſon to the " late king, colonel Berkeley, and ſome " troops of dragoons. This conduct was " a ſignal ſacrifice to public virtue of " *every duty in private life*, and required, " *for ever after*, the moſt upright, the " moſt diſintereſted, and moſt public-

 " ſpirited

[127] Vol. viii. p. 206, edit. 8vo. 1763. Vol. vi. p. 371, edit. 4to. 1767.

" had ever been a moſt inflexible and in-
" veterate enemy to the royal family,
" and who lately had even abuſed the
" king's clemency, might be an act of
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 " ſpirited

[127] Vol. viii. p. 206, edit. 8vo. 1763. Vol. vi. p. 371, edit. 4to. 1767.

" ſpirited behaviour, to render it *juſti-*
" *fiable.*" Our hiſtorian afterwards adds:
" But Churchill had prepared a ſtill more
" mortal blow for his diſtreſt benefactor.
" His lady and he had an entire aſcen-
" dant over the family of prince George
" of Denmark; and the time now ap-
" peared *ſeaſonable for over-whelming the*
" *unhappy king*, who was already ſtag-
" gering with the violent ſhocks, which
" he had received. Andover was the firſt
" ſtage of his majeſty's retreat towards
" London, and there prince George, to-
" gether with the young duke of Or-
" mond, Sir George Huet, and ſome
" other perſons of diſtinction, deſerted
" him in the night-time, and retired to
" the prince's camp. No ſooner had
" this news reached London, than the
" princeſs Anne, *pretending* fear of the
" king's diſpleaſure, withdrew herſelf,
" in the company of the biſhop of Lon-
" don and lady Churchill. She fled to
" Nottingham; where the earl of Dorſet
" received her with great reſpect, and
" the gentry of the county quickly form-
" ed a troop for her protection."—" It

" is,

" is, indeed, ſingular, that a prince, " whoſe chief blame conſiſted in *impru-* " *dences* and *miſguided principles*, ſhould " be expoſed, from *religious antipathy*, to " ſuch treatment as even Nero, Domi- " tian, or the moſt enormous tyrants " that have diſgraced the records of hiſ- " tory, never met with from their friends " and family [128]."

At the very cloſe of his hiſtory, and in the laſt edition of it, in the courſe of his reflections on the revolution, Mr. Hume ſtill perſiſts in apologizing for the conduct of James I. and Charles I. " The inconveniencies," he ſays, " ſuf- " fered by the people under the two firſt " reigns of the family of Stuart (for in " the main they were fortunate) pro- " ceeded, in a great meaſure, from the " *unavoidable ſituation of affairs*; and " ſcarcely any thing could have prevent- " ed thoſe events, but ſuch vigour of ge- " nius in the ſovereign, attended with " ſuch *good fortune*, as might have ena- " bled

[128] Vol. viii. p. 286, 287, 288, edit. 1763.

" bled him *entirely to overpower the liber-*
" *ties of the people* [129]."

Our author, in the courſe of his hiſtory, ſeems ſtudious to leſſen the reputation of ſome of the moſt celebrated Engliſh geniuſſes. He generally begins with beſtowing ſome compliments upon them, and then contrives, with great dexterity, to throw out ſuch inſinuations againſt them, and ſo magnifies their defects, real or imaginary, as almoſt wholly to overturn what he has ſaid in their favour: and the ideas which he endeavours to convey are ſuch, as, if we adopt them, muſt greatly leſſen our opinion of the merit of the eminent perſons of whom he ſpeaks. Thus, after ſeveral complimentary expreſſions of Spenser, and ſtiling him " the fineſt Engliſh wri-
" ter of his age," he ſays, " Yet does
" the peruſal of his work become ſo te-
" dious, that one never finiſhes it from
" the mere pleaſure which it affords: It
" ſoon becomes a kind of taſk-reading;
" and it requires ſome *effort* and *reſolution*
" to

[129] Vol. viii. p. 320, edit. 1778.

" to carry us on to the end of his long " performance."—He " was employed in " drawing the affectations, and conceits, " and fopperies of chivalry, which ap- " pear ridiculous, as ſoon as they loſe " the recommendation of the mode. " The tedioufneſs of continued alle- " gory [130], and that too *ſeldom ſtriking or* " *ingenious*, has alſo contributed to ren- " der the *Fairy Queen* peculiarly tire- " ſome [131]."

Of Shakespeare, Mr. Hume ſays, that if he " be conſidered as a man born " in a *rude age*, and educated in the " loweſt manner, *without any inſtruction*, " either

[130] The writer of theſe obſervations does not mean to controvert the propriety of every ſentiment advanced in the paſſages cited from Mr. Hume. Part of what the hiſtorian ſays may be juſt, though the other part be manifeſtly unjuſt; and, in making quotations, it is ſometimes difficult to ſeparate the one from the other. It will be ſufficient for our purpoſe, if the paſſages cited prove, upon the whole, that Mr. Hume has *endeavoured*, without juſt reaſon, to *leſſen the reputation of ſome of the moſt celebrated Engliſh geniuſſes*.

[131] Hiſt. vol. v. p. 492. edit. 1778. 8vo.

" either from the *world* or from *books*, he " may be regarded as a prodigy." That is, Shakeſpeare may be regarded as a prodigy, if he be viewed in a light in which he never was, or could be viewed, by any human creature. It has been ſuppoſed, that Shakeſpeare was little verſed in the antient languages; but that he had derived no inſtruction either from the world or from books, was never yet ſeriouſly ſuppoſed by any man. It may, indeed, be pretended, that Mr. Hume's meaning only was, that Shakeſpeare had not received the advantages of a liberal education, or had any opportunity of improving his ſentiments by a converſe with the higher claſſes of mankind. But if this be his meaning, he has certainly not expreſſed it with much accuracy; and the evident deſign of his remarks is, to leſſen the reputation of Shakeſpeare. " In his compoſitions," he ſays, " we " regret, that many irregularities, and " even abſurdities, ſhould ſo frequently " disfigure the animated and paſſionate " ſcenes intermixed with them; and at " the ſame time we perhaps *admire the*

" *more*

" *more thoſe beauties, on account of their* " *being ſurrounded with ſuch deformities.* " A ſtriking peculiarity of ſentiment, " adapted to a ſingular character, he fre- " quently hits, as it were by inſpiration, " but a reaſonable propriety of thought " he cannot, for any time, uphold." He alſo obſerves, that there may " remain a " ſuſpicion, that we over-rate, if poſſi- " ble, the greatneſs of his genius; in " the ſame manner as bodies often ap- " pear more gigantic, *on account of their* " *being diſproportioned and miſhapen*[132]."

Of lord Bacon, Mr. Hume ſays, that " if we conſider the variety of talents " diſplayed by this man, as a public " ſpeaker, a man of buſineſs, a wit, a " courtier, a companion, an author, a " philoſopher; he is juſtly the object of " great admiration. If we conſider him " merely as an author and philoſopher, " the light in which we view him at pre- " ſent, though very eſtimable, he was " yet inferior to his cotemporary Gali- " læo, perhaps even to Kepler." There

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[132] Hiſt. vol. vi. p. 191, 192. edit. 1778.

does not appear to be the leaſt judgment or propriety in theſe parallels, which are calculated for no other purpoſe, but to lower our ideas of Bacon's merit: and yet, to thoſe who think juſtly, they can have no ſuch effect. We may admit the ſuperiority of Galilæo and Kepler in aſtronomy, mechanics, and ſome particular branches of phyſical knowledge; and yet it will by no means follow, that either of them were equal to Bacon as philoſophers, or as writers for the inſtruction of mankind, and the advancement of univerſal ſcience. This is the light in which Bacon ſhould be viewed, and it is the light in which he has always been viewed, by thoſe who were the beſt acquainted with his writings, and the beſt judges of his merit [133]. But Mr. Hume farther obſerves,

[133] We muſt have a very high opinion of the importance of lord Bacon's writings to the learned world, if we admit the truth of the aſſertion of Dr. Beattie, and it appears to be well founded, *viz.* that "ſcience has made more progreſs ſince his "time, and by his method, than for a thouſand "years before."

Eſſays, edit. 4to. Edinb. 1777. p. 263.

ſerves, that " that *national ſpirit*, which " prevails among the Engliſh, and which " forms their great happineſs, is the " cauſe, why they beſtow on all their " eminent writers, and Bacon among " the reſt, ſuch praiſes and acclamations " as may often appear partial and ex- " ceſſive [134]." Unhappily for Mr. Hume's remark, lord Bacon is one of the worſt inſtances that could have been produced, as an evidence of the national partiality of the Engliſh. For it appears evident, that foreigners, at leaſt for a conſiderable time, had a much higher opinion of Bacon's merit, than his own countrymen; ſo that Francis Oſborne, who lived in the ſame age, obſerves of him, that he " was over-balanced by a greater weight " of glory from ſtrangers;" and the author of Bacon's article in the *Biographia Britannica* ſays, that " the memory of " this admirable man, expanded more " fragrantly abroad for many years, than " here in his native country." And it is remarkable, that lord Bacon himſelf appears to have foreſeen this. For in his

[134] Vol. vi. p. 194, 195. edit. 1778.

will is the following paſſage: "For "my name and memory, I leave it to "men's charitable ſpeeches, and to fo- "reign nations, and the next ages." It is, therefore, manifeſt, that the attributing the high commendations that have been beſtowed on Bacon to the national partiality of the Engliſh, is an imagination at once groundleſs and abſurd.

Mr. Hume ſeems, in ſome reſpects, to have been more inclined to do juſtice to Milton; and yet it is manifeſt, that he was ſufficiently ready to urge whatever could plauſibly be advanced, in diminution of the character of this great and illuſtrious poet. In his character of him, and of his writings, he ſays, that "in the "Paradiſe Loſt, his capital performance, "there are very long paſſages, amount- "ing to *near a third of the work*, almoſt "wholly devoid of harmony and ele- "gance, nay, of *all vigour of imagina- "tion*:" and that "his proſe writings "are diſagreeable, though *not altogether "defective in genius*." He alſo ſays, that he "was deeply engaged with the fa- "natics,

" natics, and even proſtituted his pen in " theological controverſy, in factious " diſputes, and in juſtifying the moſt vi- " olent meaſures of the party [135]." But notwithſtanding all that has been ſaid upon this ſubject, there is no reaſon whatever to ſuppoſe, that Milton wrote, either in politics or theology, what was contrary to his own private judgment. It is, therefore, highly injurious to ſay of ſuch a man, that *he proſtituted his pen*. Milton was a republican from principle; and he thought a tyrant ought to be put to death as much as any inferior malefactor; and on this ground he vindicated the execution of Charles the Firſt. It may alſo humbly be preſumed, that a man does not neceſſarily *proſtitute his pen* by engaging in theological controverſy, by giving his opinion on matters, ſuppoſed at leaſt to be of importance among Chriſtians, any more than Mr. Hume would imagine he did by writing in ſupport of the glorious cauſe of infidelity and irreligion.

THAT

[135] Vol. vii, p. 343, edit. 1778.

THAT Milton thought he had no reaſon to be aſhamed of his political writings, nor had any ideas of his having *proſtituted his pen*, is evident from his ſonnet to Cyriac Skinner, on his blindneſs.

" Cyriac, this three years day, theſe eyes, tho' clear,
" To outward view, of blemiſh or of ſpot,
" Bereft of light their ſeeing have forgot,
" Nor to their idle orbs doth ſight appear
" Of ſun, or moon, or ſtar throughout the year,
" Or man, or woman. Yet I argue not
" Againſt heaven's hand or will, nor bate a jot
" Of heart or hope; but ſtill bear up and ſteer
" Right onward. What ſupports me, doſt thou aſk?
" The conſcience, friend, to have loſt them overply'd
" In Liberty's defence, my noble taſk,
" Of which all Europe talks from ſide to ſide.
" This thought might lead me thro' the world's vain maſk
" Content, tho' blind, had I no better guide."

IT will be ſufficient barely to recite the character which our hiſtorian has given of the celebrated ROBERT BOYLE, without making any remarks on it, to convince thoſe who are acquainted with his merit and his writings, how little inclined Mr. Hume was to do him juſtice. " Boyle," he ſays, " improved the pneu-
" matic engine, invented by Otto Gue-
" ricke, and was thereby enabled to make
" ſeveral

" ſeveral new and curious experiments " on the air, as well as on other bodies. " His chymiſtry is much admired by " thoſe who are acquainted with that " art: his hydroſtatics contain a greater " mixture of reaſoning and invention " with experiment, than any other of " his works; but his reaſoning is ſtill " remote from that blindneſs and teme- " rity, which had led aſtray ſo many " philoſophers. Boyle was a great par- " tizan of the mechanical philoſophy; " a theory, which, by diſcovering ſome " of the ſecrets of nature, and allowing " us to imagine the reſt, is ſo agreeable " to the natural vanity and curioſity of " men [136]." And, after having ſpoken in very high terms of NEWTON, he cloſes the whole with the following curious obſervation: that while that great man " ſeemed to draw off the veil from ſome " of the myſteries of nature, he ſhewed, " at the ſame time, the imperfections of " the mechanical philoſophy; and there- " by *reſtored her ultimate ſecrets to that ob-* " *ſcurity*, in which they ever did and ever " will remain [137]."

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[136] Vol. viii. p. 333, 334. edit. 1778. [137] P. 334.

NOTWITHSTANDING the defects of Mr. Hume's Hiſtory of England, it may be read with conſiderable advantage, if it be read with caution, with a due attention to the prevailing views, ſentiments, and prepoſſeſſions of the writer, and if it be compared with other Engliſh hiſtorical authors. Independent of its merit as a compoſition, it may be admitted, that much real information, and many remarks equally juſt and acute, are to be found in Mr. Hume's hiſtory; but thoſe who read his work, without ſuch a previous acquaintance with other Engliſh hiſtorians, as will, in ſome degree, enable them to judge of the truth and impartiality of his repreſentations, will often be led into the moſt erroneous conceptions. And it is certainly by no means a proper book to be put into the hands of Britiſh youth, in order to give them juſt ideas of the hiſtory and conſtitution of their own country; though this is an uſe to which it is ſometimes applied. It requires a maturity of judgment, and a conſiderable degree of hiſtoric knowledge, to be able to read it without being miſled by the political

political prejudices of the author, and by the art and dexterity which frequently attend his miſrepreſentations. There are ſentiments in it which may be highly pernicious to the minds of youth, eſpecially when conſidered in the light of ſubjects of a free ſtate: and in many places the obſervations of this hiſtorian are calculated to infuſe into his readers principles of ſcepticiſm, and to give them views very unfavourable, not only to ſuperſtition and enthuſiaſm, but to genuine and rational religion. For as our author had very unfavourable ideas of Chriſtianity, he ſeldom let ſlip a plauſible opportunity of throwing out inſinuations againſt it, as well as againſt its teachers.

Though Mr. Hume's language is, in general, extremely elegant, yet there are in his work no inconſiderable number of unauthorized modes of expreſſion, and grammatical inaccuracies; of which the ingenious Dr. Prieſtley, in his Engliſh grammar, hath afforded a very copious ſpecimen. It may alſo be obſerved, that, in the whole courſe of his hiſtory, Mr.

Hume has hardly ever excelled in the deſcription of a battle; almoſt all his deſcriptions of that kind being unanimated and unintereſting. He could deſcribe a theological diſputation with abundantly more energy and ſpirit than any warlike actions, though of the moſt brilliant kind. His deſcriptions of the battles of Creſſy, Poictiers, or Agincourt, are much inferior, in point of ſpirit, to his account of king Henry the Eighth's diſputation with John Lambert. And it may alſo be obſerved, that in the deſcriptions given by him of the moſt celebrated military actions of the Engliſh, he generally appears much inclined to leſſen their ſplendor, and to ſpeak diſparagingly of the nation and their exploits [138].

In his ſhort narrative of his own life, Mr. Hume ſays, p. 23, "Though I had "been

[138] Mr. Hume ſays, "the Engliſh never left "their own country, but when they were conducted "by a king of extraordinary genius, or found "their enemy divided by inteſtine factions, or "were ſupported by a powerful alliance on the "continent." Hiſt. vol. iii. p. 98.

" been taught by experience, that the " Whig party were in poſſeſſion of be- " ſtowing all places, both in the ſtate " and in literature, I was ſo little *in-* " *clined to yield* to their *ſenſeleſs clamour*, " that in above an hundred alterations, " which farther ſtudy, reading, or re- " flection engaged me to make in the " reigns of the two firſt Stuarts, I have " made all of them invariably on the " Tory ſide." But did this really ariſe from conviction, or did the objections made by the Whigs to Mr. Hume's hiſtory, excite in him ſo much reſentment, as to encreaſe his prejudices againſt them? That pure, unbiaſſed reaſon, ſhould have dictated to him, to make all his alterations on one ſide only, or that there ſhould have been no juſt cauſe for making a ſingle alteration on the oppoſite ſide, is an improbability, that Mr. Hume would not eaſily have admitted in the caſe of any other writer.

He complains, that ſince the revolution, the influence of the Whigs " has " proved deſtructive to the truth of hiſ-

" tory." And " no man," he ſays, " has " yet ariſen, who has *payed an entire re-* " *gard to truth*, and has dared to expoſe " her, without covering or diſguiſe, to " the eyes of the prejudiced public [139]." This defect, we are probably to underſtand, is now ſupplied by the publication of Mr. Hume's hiſtory. He likewiſe informs us, that in conſequence of the influence of the Whigs, " compoſi- " tions the moſt deſpicable, both for " ſtile and matter, have been extolled, " and propagated, and read; as if they " had equalled the moſt celebrated re- " mains of antiquity [140]." Theſe *deſpicable compoſitions*, he informs us in a note, are thoſe of RAPIN THOYRAS [141], LOCKE, SYD-

[139] Vol. viii. p. 322, edit 1778.

[140] P. 323.

[141] P. 323. It is obſervable, that, in his *Political Diſcourſes*, Mr. Hume ſtiles Rapin *the moſt judicious of hiſtorians*. But it is ſurely ſomewhat ſingular, that the writings of the moſt judicious of hiſtorians, ſhould be *deſpicable both for ſtyle and matter*. Vid. Hume's Political Diſcourſes, p. 268. edit. Edinb. 1752.

SYDNEY, HOADLY, &c.[142]. Is it poſſible, that any friend to the intereſts of civil and religious liberty, and the common rights of mankind, or any man that has a juſt regard to characters of diſtinguiſhed merit, can endure to hear ſuch treatiſes as thoſe of Locke and Sydney on government, not to mention the works of biſhop Hoadly, ſpoken of as *compoſitions the moſt deſpicable both for ſtyle and matter*, without feeling the ſtrongeſt indignation? Or can ſuch a method of ſpeaking of the productions of authors ſo truly reſpectable and illuſtrious, be vindicated by the moſt partial of our hiſtorian's friends?

THERE is a neatneſs, an elegance, and a perſpicuity, in Mr. Hume's narrations, which cannot fail to captivate his readers. But thoſe who read hiſtory from rational motives, muſt wiſh to be inſtructed, as well as entertained: and no elegance of compoſition can atone for groſs

[142] Hiſt. vol. viii. p. 323, edit. 1778. This note is not in the edition of 1763, nor probably in any but the laſt.

groſs miſrepreſentations of the real ſtate of facts. Indeed, the greater the liberties may be which are taken by an hiſtorian, in diſguiſing and ornamenting facts and characters, and the more what is called hiſtory approaches to romance, it may be the more pleaſing, but it muſt be the leſs inſtructive. It may alſo be remarked, that an hiſtorian may be thought profound, when he points out, or ſeems to do ſo, the motives by which thoſe were actuated of whom he writes; though it may often happen, that theſe are nothing but the mere imaginations of the writer; and the motives which he ſuggeſts, may be totally different from thoſe by which the parties were really influenced. There is reaſon to believe, that this is not unfrequently the caſe in Mr. Hume's hiſtory.

THOUGH our hiſtorian, from his deſire of placing the princes of the houſe of Stuart in a favourable point of view, frequently palliates the moſt exceptionable parts of their conduct; yet it is but juſtice to him to acknowledge, that there are ſundry paſſages in his hiſtory highly favour-

favourable to the general intereſts of liberty, and the common rights of mankind. But theſe are much more than counterbalanced, by a great number of paſſages and ſentiments of ſo different a nature, that we have little reaſon to applaud our author for his conſiſtency. And, upon the whole, it is apprehended, that the Obſervations which are offered to the public in theſe pages, muſt be ſufficient to evince, that whatever commendation may be due to Mr. Hume as an ingenious, elegant, and poliſhed writer, he is not entitled to equal praiſe as an exact, faithful, and impartial hiſtorian. Whatever may be the beauties of his ſtile, and however we may admire the eloquence with which his work is embelliſhed, it is nevertheleſs certain, that we muſt have recourſe to other ſources of information, if we would obtain an accurate knowledge of the Engliſh hiſtory, if we would form juſt ideas of the moſt remarkable tranſactions and characters which occur in the annals of this country.

FINIS.